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FILE NO. 080790 MOTION NO. M08-101

[Final Map 4587 – 1 Polk Street]

Motion approving Final Map 4587, a 179 Residential Unit and 4 Commercial Unit Mixed-Use Condominium Project, located at 1 Polk Street being a subdivision of Lot 022 in Assessors Block No. 0814 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4587", comprising 3 sheets, approved May 28, 2008, by Department of Public Works Order No. 177, 581 is hereby approved and said map is adopted as an Official Final Map 4587; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated November 26, 2007, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080790 **Date Passed:** June 24, 2008

Motion approving Final Map 4587, a 179 Residential Unit and 4 Commercial Unit Mixed-Use Condominium Project, located at 1 Polk Street being a subdivision of Lot 022 in Assessors Block No. 0814 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

June 24, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080790

I hereby certify that the foregoing Motion was APPROVED on June 24, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080795 MOTION NO. M08-102

[FINAL MAP, PLANNED DEVELOPMENT, MISSION BAY]

Motion approving Final Map No. 4375 Planned Development Mission Bay, a ten (10) lot subdivision, being a Merger and Resubdivision of Lot A, Lot 6, Lot 9 and Lot 10 as shown on that certain final entitled "FINAL MAP PLANNED DEVELOPMENT MISSION BAY" filed for record on January 25, 2001 in Book Z of Maps, at Pages 154-162, Records of the City and County of San Francisco; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents.

MOVED, That the certain map entitled "FINAL MAP NO. 4375 PLANNED DEVELOPMENT, MISSION BAY, BEING A MERGER AND RESUBDIVISION OF LOT A, LOT 6, LOT 9 AND LOT 10, AS SHOWN ON THAT CERTAIN MAP ENTITLED "FINAL MAP PLANNED DEVELOPMENT MISSION BAY" FILED FOR RECORD ON JANUARY 25, 2001 IN BOOK Z OF MAPS AT PAGES 154-162, RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, comprising 9 sheets, approved June 4, 2008 by Department of Public Works Order No. 177,602 together with the Public Improvement Agreement for Mission Bay South Block 8709 Phase 2, dated _____, 2008 between the City and County of San Francisco and ARE-San Francisco No. 15 LLC and FOCIL – MB, LLC are hereby approved and said map is adopted as an Official Final Map of Mission Bay for Assessor's Block 8709 Lot 15, Lot 16; Lot 17; Lot 18, Lot 19; Lot 20, Lot 21, Lot 22, Lot 23 and Lot 24; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated November 29, 2007, that the proposed subdivision is

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consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the San Francisco Redevelopment Agency, by its letter dated December 19, 2006, that the proposed subdivision is consistent with the Mission Bay South Redevelopment Plan and Plan Documents (as such term is defined therein); and be it

FURTHER MOVED, That certain public improvements necessitated by the approval of the Final Map have not been completed at this time, therefore the City and the subdividers have prepared a Public Improvement Agreement for Mission Bay South Phase 2 Block 8709, dated _____, 2008, between the City and County of San Francisco and ARE-San Francisco No. 15 LLC and FOCIL-MB, LLC., a copy of which is in Clerk of the Board File No. 080795, and incorporated herein by reference. The Board hereby approves this Agreement and does hereby authorize the Director of Public Works to sign the Agreement on behalf of the City ; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors accepts, subject to improvements, the "EMERGENCY VEHICLE ACCESS EASEMENTS" and "PUBLIC UTILITY EASEMENTS" on Lots 15 through 22, inclusive, all offered for dedication on this Final Map. Lots 23 and 24, offered for dedication on this Final Map and subject to improvements, shall be granted to the City and County of San Francisco per separate instrument.

FURTHER MOVED, That the San Francisco Board of Supervisors designate the Director of Public Works, in consultation with the General Manager of the Public Utilities Commission (P.U.C.), City Attorney and the Director of Real Estate, authorization to quitclaim the old Emergency Vehicle Access Easements (E.V.A.E.), Ingress and Egress Easements (I.E.E.) and Public Utility Easements (P.U.E.) upon confirmation of abandonment or relocation

and acceptance by the Board of Supervisors of alternate facilities, without any further action by the Board of Supervisors.

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerks statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the Mission Bay Subdivision Code and amendments thereto.

RECOMMENDED:

Edward D. Reiskin
Director of Public Works

RECOMMENDED:

Bruce Storrs L.S. 6914
My License Expires September 30, 2009
County Surveyor
City and County of San Francisco

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 080795 **Date Passed:** June 24, 2008

Motion approving Final Map No. 4375 Planned Development Mission Bay, a ten (10) lot subdivision, being a Merger and Resubdivision of Lot A, Lot 6, Lot 9 and Lot 10 as shown on that certain final entitled "FINAL MAP PLANNED DEVELOPMENT MISSION BAY" filed for record on January 25, 2001 in Book Z of Maps, at Pages 154-162, Records of the City and County of San Francisco; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan and Plan Documents.

June 24, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080795

I hereby certify that the foregoing Motion was APPROVED on June 24, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080841 MOTION NO. M08-103

[Final Map 4007 – 300 Berry Street]

Motion approving Final Map 4007, a one-lot subdivision for condominium purposes, being a 270-unit mixed-use condominium project of Lot 6 in Assessors Block No. 8704, located at 300 Berry Street, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4007, A 269 RESIDENTIAL UNIT AND 1 COMEMRCIAL UNIT MIXED-USE CONDOMINIUM PROJECT, BEING A SUBDIVISION OF THOSE CERTAIN LANDS, AS SHOWN ON THAT CERTAIN MAP REDCORDED NOVEMBER 10, 2005, IN BOOK BB OF MAPS AT PAGES 23-27, INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA", comprising 4 sheets, approved June 4, 2008 by Department of Public Works Order No. 177,597 is hereby approved and said map is adopted as an Official Final Map 4007 of Mission Bay for Assessor's Block 8704, Lot 6; and be it

FURTHER MOVED, That certain public improvements necessitated by the approval of the Final Map have not been completed at this time, but are being provided by a previous Public Improvement Agreement between the City and the developer for Mission Bay North Block N4 – Fifth and Berry Streets, dated October 19, 2005, between the City and County of San Francisco and FOCIL - MB, LLC., a copy of which is in Clerk of the Board File No. 080841; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated March 3, 2006, that the proposed subdivision is

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consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the San Francisco Redevelopment Agency, by its letter dated May 2, 2006, that the proposed subdivision is consistent with the Mission Bay North Redevelopment Plan and Plan Documents (as such term is defined therein); and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerks statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the Mission Bay Subdivision Code and amendments thereto.

RECOMMENDED:

Edward D. Reiskin
Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS
City and County Surveyor

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080841 **Date Passed:** June 24, 2008

Motion approving Final Map 4007, a one-lot subdivision for condominium purposes, being a 270-unit mixed-use condominium project of Lot 6 in Assessors Block No. 8704, located at 300 Berry Street, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

June 24, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080841

I hereby certify that the foregoing Motion was APPROVED on June 24, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080699 MOTION NO. M08-104

[Appointment, Planning Commission]

Motion approving the Mayor's appointment of Gwyneth Borden to the Planning Commission term ending July 1, 2010.

WHEREAS, Pursuant to Charter Section 4.105, the Mayor's has submitted a communication notifying the Board of Supervisors of the nomination of Gwyneth Borden to the Planning Commission, received by the Clerk of the Board on May 19, 2008; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Gwyneth Borden to the Planning Commission term ending July 1, 2010.

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Motion

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File Number: 080699 **Date Passed:** June 24, 2008

Motion approving the Mayor's appointment of Gwyneth Borden to the Planning Commission term ending July 1, 2010.

June 24, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080699

I hereby certify that the foregoing Motion was APPROVED on June 24, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080714 **MOTION NO.** M08-105

[Appointment, S. F. Health Authority]

Motion appointing Randy L. Wittorp, term ending January 15, 2011, to the San Francisco Health Authority.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the San Francisco Health Authority, pursuant to the provisions in the Welfare and Institutions Code Sec. 14087.36 and the San Francisco Administrative Code Sections 69.1 et seq., for the term specified:

Randy L. Wittorp, succeeding Nathan Nayman, term expired, Seat 2, must be nominee of Hospital Council of Northern California, for three-year term ending January 15, 2011.

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Tails

Motion

File Number: 080714 **Date Passed:** June 24, 2008

Motion appointing Randy L. Wittorp, term ending January 15, 2011, to the San Francisco Health Authority.

June 24, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080714

I hereby certify that the foregoing Motion was APPROVED on June 24, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080713 MOTION NO. M08-106

[Appointment, Graffiti Advisory Board]

Motion appointing Rebecca Delgado Rottman, term ending April 10, 2009, to the Graffiti Advisory Board.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Graffiti Advisory Board, pursuant to the provisions of San Francisco Administrative Code Section 5.170, for the terms specified:

Rebecca Delgado Rottman, succeeding Deborah Mansfield, resigned, seat 16, must represent private schools or art schools who operate in San Francisco, for unexpired portion of a two-year term ending April 10, 2009.

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Motion

File Number: 080713 **Date Passed:** June 24, 2008

Motion appointing Rebecca Delgado Rottman, term ending April 10, 2009, to the Graffiti Advisory Board.

June 24, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080713

I hereby certify that the foregoing Motion was APPROVED on June 24, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080717 MOTION NO. M08-107

[Appointment - Food Security Task Force]

Motion appointing Diana Jenson, term ending March 15, 2009, to the Food Security Task Force, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Food Security Task Force, pursuant to the provisions of Ordinance No. 206-05, for the term specified:

Diana Jensen (residency requirement waived), seat 5, must be from the Department of Aging and Adult Services of the Human Services Agency, for term ending March 15, 2009; and, be it

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Food Security Task Force has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Diana Jenson, who is not a resident of San Francisco, are persons with experience that uniquely qualifies them to serve on the Food Security Task Force.
3. The Food Security Task Force has attempted to fill the position, for which Diana Jenson were nominated, with an individual who is a City resident and who have the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Diana Jensen qualified to serve on the Food Security Task Force.
4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who are residents of San Francisco and who have the specific experience, skills, or qualifications possessed by this applicant, and who are willing to serve on the Food Security Task Force at this time; and, be it

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FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Diana Jensen, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco
Tails
Motion

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080717 **Date Passed:** June 24, 2008

Motion appointing Diana Jensen, term ending March 15, 2009, to the Food Security Task Force; residency requirement waived.

June 24, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080717

I hereby certify that the foregoing Motion was APPROVED on June 24, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080885 MOTION NO. M08-108

[Appointment - Board of Appeals]

Motion approving Board of Supervisors President Peskin's appointment of Rafael Mandleman to the Board of Appeals for the unexpired term ending July 1, 2010.

WHEREAS, Pursuant to Charter Section 4.106, the Board President has submitted a communication notifying the Board of Supervisors of the nomination of Rafael Mandleman to the Board of Appeals, received by the Clerk of the Board on June 17, 2008; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the President's nomination to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the President's appointment of Rafael Mandleman to the Board of Appeals for the unexpired balance of the term ending July 1, 2010.

Supervisor Peskin
BOARD OF SUPERVISORS

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City Hall
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Motion

File Number: 080885 **Date Passed:** June 24, 2008

Motion approving Board of Supervisors President Peskin's appointment of Rafael Mandleman to the Board of Appeals for the unexpired balance of the term ending July 1, 2010.

June 24, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080885

I hereby certify that the foregoing Motion was APPROVED on June 24, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080852 MOTION NO. M08-109

[Appointment, Police Commission – David Onek]

Motion confirming the Mayor's nomination of, and appointing, David Onek to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2012.

MOVED, that the Board of Supervisors of the City and County of San Francisco hereby confirms the Mayor's nomination of, and appoints, David Onek to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2012, consistent with Section 4.109 of the City Charter.

David Onek, succeeding Joe Veronese, term expired, seat 5, must be nominated by the Mayor or its successor and subject to confirmation by the Board of Supervisors, for the unexpired portion of a four-year term ending April 30, 2012.

Mayor Gavin Newsom
BOARD OF SUPERVISORS

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City and County of San Francisco
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Motion

City Hall
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File Number: 080852 **Date Passed:** July 8, 2008

Motion confirming the Mayor's nomination of, and appointing, David Onek to the San Francisco Police Commission for the unexpired portion of a four-year term ending April 30, 2012.

July 8, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

File No. 080852

I hereby certify that the foregoing Motion was APPROVED on July 8, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080782 MOTION NO. M08-110

[Appointment – Commission of Animal Control and Welfare]

Motion appointing Laurie Kennedy-Routhier, term ending April 30, 2010, to the Commission of Animal Control and Welfare.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Commission of Animal Control and Welfare, pursuant to the provisions of the San Francisco Health Code, Section 41.1, for the term specified:

Laurie Kennedy-Routhier, succeeding herself, term expired, seat 1, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2010.

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City and County of San Francisco
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Motion

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File Number: 080782 **Date Passed:** July 8, 2008

Motion appointing Laurie Kennedy-Routhie, term ending April 30, 2010 to the Commission of Animal Control and Welfare.

July 8, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

File No. 080782

I hereby certify that the foregoing Motion was APPROVED on July 8, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080522 MOTION NO. M08-111

[Motion authorizing the Office of the Clerk of the Board of Supervisors to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission]

Motion authorizing the Office of the Clerk of the Board of Supervisors, consistent with past practice, to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission for the purpose of instituting its Advice and Monitoring Project with respect to CCA Program Implementation as requested by the San Francisco Board of Supervisors and for the Clerk of the Board of Supervisors to seek reimbursement from San Francisco Local Agency Formation Commission.

WHEREAS, Local Agency Formation Commissions ("LAFCOs") were created in every county by the California Legislature in 1963 to encourage the orderly formation and expansion of local governmental agencies; and,

WHEREAS, San Francisco LAFCO's ("SF LAFCO") activities have previously been limited due to the nature of the organization of San Francisco as a consolidated city and county, and fulfilling the duties and responsibilities set forth in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Cortese-Knox-Hertzberg Act"), Government Codes §§ 56000 et seq. has not required the full time and attention of the Executive Officer, and no other staff has been required; and,

WHEREAS, The Board of Supervisors has charged SF LAFCO, by Ordinance 0146-07, file #070777, with providing an advisory role for the implementation of its Community Choice Aggregation ("CCA") Program, to assist with the startup of the CCA Program and advise the Board of Supervisors, San Francisco Public Utilities Commission ("SFPUC") and

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other agencies regarding all aspects of development, implementation, operation, and management of the CCA Program; and,

WHEREAS, SF LAFCo agreed in its resolution number 2007-01, to monitor the SFPUC's implementation of the CCA Program and provide advice to the Board of Supervisors as to CCA Program implementation; and,

WHEREAS, In 2000, the Board of Supervisors authorized the Clerk of the Board of the Board of Supervisors to serve as the part-time Executive Officer of SF LAFCO, to perform such duties and fulfill such responsibilities as are prescribed in the Cortese-Knox-Hertzberg Act; and,

WHEREAS, SF LAFCO will need additional clerical, administrative, and logistic support to monitor the SFPUC's implementation of the CCA Program and provide advice to the Board of Supervisors as to CCA Program implementation; and

WHEREAS, The Office of the Clerk of the Board of Supervisors has the requisite skills, expertise in, and access to, relevant City policies and procedures to provide such clerical, administrative, and logistic support; now, therefore, be it

MOVED, That the Board of Supervisors hereby authorizes the Office of the Clerk of the Board of Supervisors to provide staff and support to SF LAFCO to perform such duties and fulfill such responsibilities as assigned by SF LAFCo consistent with Ordinance 0146-07 file #070777, and additional duties and responsibilities associated with monitoring the SFPUC's implementation of the CCA Program and providing advice to the Board of Supervisors as to CCA Program implementation; and, be it

FURTHER MOVED, That the Clerk of the Board of Supervisors is authorized to seek reimbursement from SF LAFCO for any and all actual expenses incurred and/or for additional staff time such assistance may require, via work order, invoice, or other such device.

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 080522 **Date Passed:** July 8, 2008

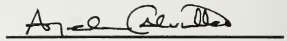
Motion authorizing the Office of the Clerk of the Board of Supervisors, consistent with past practice, to provide clerical, administrative, and logistical assistance to the San Francisco Local Agency Formation Commission for the purpose of instituting its Advice and Monitoring Project with respect to CCA Program Implementation as requested by the San Francisco Board of Supervisors and for the Clerk of the Board of Supervisors to seek reimbursement from San Francisco Local Agency Formation Commission.

July 8, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

File No. 080522

I hereby certify that the foregoing Motion was APPROVED on July 8, 2008 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

FILE NO. 080974 **MOTION NO.** M08-112

[Appointment – Commission of Animal Control and Welfare]

Motion appointing Angela Lucia Padilla, term ending April 30, 2010, to the Commission of Animal Control and Welfare.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Commission of Animal Control and Welfare, pursuant to the provisions of the San Francisco Health Code, Section 41.1, for the term specified:

Angela Lucia Padilla, succeeding Christine Garcia, term expired, seat 2, must be a member representing the general public having interest and experience in animal matters, for a two-year term ending April 30, 2010.

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Motion

File Number: 080974 **Date Passed:** July 16, 2008

Motion appointing Angela Lucia Padilla, term ending April 30, 2010, to the Commission of Animal Control and Welfare.

July 16, 2008 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Ammiano

File No. 080974

I hereby certify that the foregoing Motion was APPROVED on July 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080940 **MOTION NO.** M08-113

[Appointment – Commission of Animal Control and Welfare]

Motion appointing Dr. David Gordon, term ending April 30, 2010, to the Commission of Animal Control and Welfare.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Commission of Animal Control and Welfare, pursuant to the provisions of the San Francisco Health Code, Section 41.1, for the term specified:

Dr. David Gordon, succeeding Mara Weiss, term expired, seat 7, must be a licensed veterinarian, for a two-year term ending April 30, 2010.

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City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080940 **Date Passed:**

Motion appointing Dr. David Gordon, term ending April 30, 2010, to the Commission of Animal Control and Welfare.

July 16, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 080940

I hereby certify that the foregoing Motion was APPROVED on July 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080014 **MOTION NO.** M08-114

[Final Map 4139 – 601 Alabama Street]

Motion approving Final Map 4139, a 34 Residential Unit Condominium Project, located at 601 Alabama Street being a subdivision of Lot 005 in Assessors Block No. 4021 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4139", comprising 11 sheets, approved June 18, 2008, by Department of Public Works Order No. 177, 626 is hereby approved and said map is adopted as an Official Final Map 4139; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated August 21, 2006, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

DOCUMENTS DEPT.
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RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080014 **Date Passed:** July 22, 2008

Motion approving Final Map 4139, a 34 Residential Unit Condominium Project, located at 601 Alabama Street being a subdivision of Lot 005 in Assessors Block No. 4021 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

July 22, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080014

I hereby certify that the foregoing Motion was APPROVED on July 22, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080023 **MOTION NO.** M08-115

[Final Map 4573; 3740 – 3742 Geary Boulevard]

Motion approving Final Map 4573, a Four Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 3740 – 3742 Geary Boulevard being a subdivision of Lot 012 in Assessors Block No. 1433 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4573", comprising 3 sheets, approved June 23, 2008, by Department of Public Works Order No. 177,635 is hereby approved and said map is adopted as an Official Final Map 4573; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated August 8, 2007, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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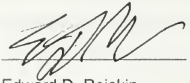
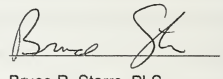
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080023 **Date Passed:** July 22, 2008

Motion approving Final Map 4573, a Four Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 3740 – 3742 Geary Boulevard being a subdivision of Lot 012 in Assessors Block No. 1433 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

July 22, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080023

I hereby certify that the foregoing Motion was APPROVED on July 22, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080024 MOTION NO. M08-116

[Final Map 4313: 894 – 898 Waller Street & 12 – 16 Broderick Street]

Motion approving Final Map 4313, a 6 Unit Residential Condominium Project, located at 894 – 896 – 898 Waller Street and 12 – 14 – 16 Broderick Street being a subdivision of Lot 018 In Assessors Block No. 1240 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4313", comprising 5 sheets, approved July 2, 2008, by Department of Public Works Order No. 177, 657 is hereby approved and said map is adopted as an Official Final Map 4313; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated December 20, 2006, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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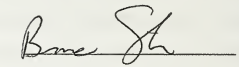
RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 080024 **Date Passed:** July 22, 2008

Motion approving Final Map 4313, a 6 Unit Residential Condominium Project, located at 894 – 896 – 898 Waller Street and 12 – 14 – 16 Broderick Street being a subdivision of Lot 018 in Assessors Block No. 1240 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

July 22, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080024

I hereby certify that the foregoing Motion was APPROVED on July 22, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081025 MOTION NO. M08-117

[Motion releasing reserve of $200,000 for maintenance of security cameras for Department of Technology for Fiscal Year 2007-2008.]

Motion releasing reserve on funding for Fiscal Year 07-08 in the Department of Technology for maintenance of existing security cameras.

WHEREAS, The Board of Supervisors appropriated $200,000 in Fiscal Year 2007-08 to fund operating costs of security cameras in San Francisco; and

WHEREAS, The Finance and Budget Committee reserved the funding pending additional information on the expenditures of the funds; and

WHEREAS, the Department of Technology proposed to use the funds to hire temporary staff to maintain existing cameras throughout the City in FY 08-09; now therefore, be it:

MOVED: That the Board of Supervisors approves the release of $200,000 in the FY 07-08 budget of the Department of Technology to fund staff to maintain the City security cameras for FY 08-09.

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Motion

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File Number: 081025 **Date Passed:** July 22, 2008

Motion releasing reserve on funding for Fiscal Year 07-08 in the Department of Technology for maintenance of existing security cameras.

July 22, 2008 Board of Supervisors — APPROVED
Ayes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Sandoval
Noes: 4 - Ammiano, Daly, McGoldrick, Peskin

File No. 081025

I hereby certify that the foregoing Motion was APPROVED on July 22, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080077 MOTION NO. M08-118

[Final Map 4972 – 550 18th Street]

Motion approving Final Map 4972, a 35 Residential Unit and 4 Commercial Unit Mixed-Use Condominium Project, located at 550 18th Street being a subdivision of Lot 044 in Assessors Block No. 3994 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4972", comprising 3 sheets, approved July 2, 2008, by Department of Public Works Order No. 177, 658 is hereby approved and said map is adopted as an Official Final Map 4972; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated February 11, 2008, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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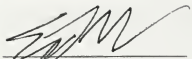
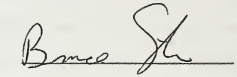
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080077 **Date Passed:** July 22, 2008

Motion approving Final Map 4972, a 35 Residential Unit and 4 Commercial Unit Mixed-Use Condominium Project, located at 550 18th Street being a subdivision of Lot 044 in Assessors Block No. 3994 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

July 22, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080077

I hereby certify that the foregoing Motion was APPROVED on July 22, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080117 MOTION NO. M08-119

[Final Map 4839 – 1018-1022 Pine Street]

Motion approving Final Map 4839, a 8 Unit Residential Condominium Project, located at 1018-1022 Pine Street being a subdivision of Lot 006 in Assessors Block No. 0253 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4839", comprising 3 sheets, approved July 2, 2008 by Department of Public Works Order No. 177,659 is hereby approved and said map is adopted as an Official Final Map 4839; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated March 14, 2008, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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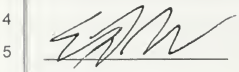
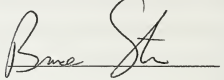


Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080117 **Date Passed:** July 22, 2008

Motion approving Final Map 4839, a 8 Unit Residential Condominium Project, located at 1018-1022 Pine Street being a subdivision of Lot 006 in Assessors Block No. 0253 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

July 22, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080117

I hereby certify that the foregoing Motion was APPROVED on July 22, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080377 MOTION NO. M08-120

[Final Map 4631 – 2829 California Street and 1933 Divisadero Street]

Motion approving Final Map 4631, a 12 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 2829 California Street and 1933 Divisadero Street being a subdivision of Lots 003 and 028 in Assessors Block No. 1028 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4631", comprising 2 sheets, approved July 2, 2008 by Department of Public Works Order No. 177,660 is hereby approved and said map is adopted as an Official Final Map 4631; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated February 1, 2008, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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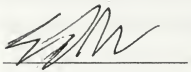
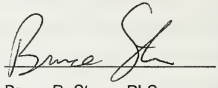
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 080377 **Date Passed:** July 22, 2008

Motion approving Final Map 4631, a 12 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 2829 California Street and 1933 Divisadero Street being a subdivision of Lots 003 and 028 in Assessors Block No. 1028 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

July 22, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080377

I hereby certify that the foregoing Motion was APPROVED on July 22, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080821 MOTION NO. M08-121

[Residential Rent Ordinance, defining and prohibiting tenant harassment and providing remedies of rent reduction, criminal and civil penalties.]

Motion ordering submitted to the voters an ordinance concerning tenant rights and remedies against harassment under the City's residential rent ordinance, at an election to be held on November 4, 2008.

MOVED, That the Board of Supervisors hereby submits the following ordinance to the voters of the City and County of San Francisco, at an election to be held on November 4, 2008.

Ordinance amending Administrative Code Chapter 37 Residential Rent Stabilization and Arbitration Ordinance by: amending Section 37.2 to define harassment by or on behalf of an owner; and by adding Section 37.10B "Tenant Harassment" to prohibit defined harassment by landlords and to provide for enforcement by reduction in rent on grounds of substantial and significant decrease in services, and to provide for enforcement by criminal and civil penalties including punitive damages.

Note: Additions are *single-underline italics Times New Roman*; deletions are ~~*strikethrough italics Times New Roman*~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 37.2, to read as follows:

SEC. 37.2. DEFINITIONS.

(a) Base Rent.

(1) That rent which is charged a tenant upon initial occupancy plus any rent increase

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allowable and imposed under this Chapter; provided, however, that base rent shall not include increases imposed pursuant to Section 37.7, and base rent shall not include utility passthroughs or water revenue bond passthroughs or general obligation bond passthroughs pursuant to Sections 37.2(q), 37.3(a)(5)(B), and 37.3(a)(6). Base rent for tenants of RAP rental units in areas designated on or after July 1, 1977, shall be that rent which was established pursuant to Section 32.73-1 of the San Francisco Administrative Code. Rent increases attributable to the City Administrator's amortization of an RAP loan in an area designated on or after July 1, 1977, shall not be included in the base rent.

(2) From and after the effective date of this ordinance, the base rent for tenants occupying rental units which have received certain tenant-based or project-based rental assistance shall be as follows:

(A) With respect to tenant-based rental assistance:

(i) For any tenant receiving tenant-based assistance as of the effective date of this ordinance (except where the rent payable by the tenant is a fixed percentage of the tenant's income, such as in the Section 8 certificate program and the rental subsidy program for the HOPWA program), and continuing to receive tenant-based rental assistance following the effective date of this ordinance, the base rent for each unit occupied by such tenant shall be the rent payable for that unit under the Housing Assistance Payments contract, as amended, between the San Francisco Housing Authority and the landlord (the "HAP contract") with respect to that unit immediately prior to the effective date of this ordinance (the "HAP" contract rent").

(ii) For any tenant receiving tenant-based rental assistance (except where the rent payable by the tenant is a fixed percentage of the tenant's income, such as in the Section 8 certificate program and the rental subsidy program for the HOPWA program), and commencing occupancy of a rental unit following the effective date of this ordinance, the base

rent for each unit occupied by such a tenant shall be the HAP contract rent in effect as of the date the tenant commences occupancy of such unit.

(iii) For any tenant whose tenant-based rental assistance terminates or expires, for whatever reason, following the effective date of this ordinance, the base rent for each such unit following expiration or termination shall be the HAP contract rent in effect for that unit immediately prior to the expiration or termination of the tenant-based rental assistance.

(B) For any tenant occupying a unit upon the expiration or termination, for whatever reason, of a project-based HAP contract under Section 8 of the United States Housing Act of 1937 (42 USC Section 1437f, as amended), the base rent for each such unit following expiration or termination shall be the "contract rent" in effect for that unit immediately prior to the expiration or termination of the project-based HAP contract.

(C) For any tenant occupying a unit upon the prepayment or expiration of any mortgage insured by the United States Department of Housing and Urban Development ("HUD"), including but not limited to mortgages provided under Sections 221(d)(3), 221(d)(4) and 236 of the National Housing Act (12 USC Section 1715z-1), the base rent for each such unit shall be the "basic rental charge" (described in 12 USC 1715z-1(f), or successor legislation) in effect for that unit immediately prior to the prepayment of the mortgage, which charge excludes the "interest reduction payment" attributable to that unit prior to the mortgage prepayment or expiration.

(b) Board. The Residential Rent Stabilization and Arbitration Board.

(c) Capital Improvements. Those improvements which materially add to the value of the property, appreciably prolong its useful life, or adapt it to new uses, and which may be amortized over the useful life of the improvement of the building.

(d) CPI. Consumer Price Index for all Urban Consumers for the San Francisco-Oakland Metropolitan Area, U.S. Department of Labor.

(e) Energy Conservation Improvements. Work performed pursuant to the requirements of Chapter 12 of the San Francisco Housing Code.

(f) Administrative Law Judge. A person, designated by the Board, who arbitrates and mediates rental increase disputes, and performs other duties as required pursuant to this Chapter 37.

~~(f.1.) Harassment. Any act or omission by or on behalf of an owner that causes or is intended to cause any person lawfully entitled to occupancy of a dwelling unit to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy.~~

(g) Housing Services. Services provided by the landlord connected with the use or occupancy of a rental unit including, but not limited to: *quiet enjoyment of the premises, without harassment by the landlord as provided in Section 10B;* repairs; replacement; maintenance; painting; light; heat; water; elevator service; laundry facilities and privileges; janitor service; refuse removal; furnishings; telephone; parking; rights permitted the tenant by agreement, including the right to have a specific number of occupants, whether express or implied, and whether or not the agreement prohibits subletting and/or assignment; and any other benefits, privileges or facilities.

(h) Landlord. An owner, lessor, sublessor, who receives or is entitled to receive rent for the use and occupancy of any residential rental unit or portion thereof in the City and County of San Francisco, and the agent, representative or successor of any of the foregoing.

(i) Member. A member of the Residential Rent Stabilization and Arbitration Board.

(j) Over FMR Tenancy Program. A regular certificate tenancy program whereby the base rent, together with a utility allowance in an amount determined by HUD, exceeds the fair market rent limitation for a particular unit size as determined by HUD.

(k) Payment Standard. An amount determined by the San Francisco Housing Authority that is used to determine the amount of assistance paid by the San Francisco

Housing Authority on behalf of a tenant under the Section 8 Voucher Program (24 CFR Part 887).

(l) RAP. Residential Rehabilitation Loan Program (Chapter 32, San Francisco Administrative Code).

(m) RAP Rental Units. Residential dwelling units subject to RAP loans pursuant to Chapter 32, San Francisco Administrative Code.

(n) Real Estate Department. A city department in the City and County of San Francisco.

(o) Rehabilitation Work. Any rehabilitation or repair work done by the landlord with regard to a rental unit, or to the common areas of the structure containing the rental unit, which work was done in order to be in compliance with State or local law, or was done to repair damage resulting from fire, earthquake or other casualty or natural disaster.

(p) Rent. The consideration, including any bonus, benefits or gratuity, demanded or received by a landlord for or in connection with the use or occupancy of a rental unit, or the assignment of a lease for such a unit, including but not limited to monies demanded or paid for parking, furnishing, food service, housing services of any kind, or subletting.

(q) Rent Increases. Any additional monies demanded or paid for rent as defined in item (p) above, or any reduction in housing services without a corresponding reduction in the monies demanded or paid for rent; provided, however, that: (1) where the landlord has been paying the tenant's utilities and the cost of those utilities increases, the landlord's passing through to the tenant of such increased costs pursuant to this Chapter does not constitute a rent increase; (2) where there has been a change in the landlord's property tax attributable to a general obligation bond approved by the voters between November 1, 1996 and November 30, 1998, or after November 14, 2002, the landlord's passing through to the tenant of such increased costs in accordance with this Chapter (see Section 37.3(a)(6)) does not constitute a

rent increase; (3) where there has been a change in the landlord's property tax attributable to a San Francisco Unified School District or San Francisco Community College District general obligation bond approved by the voters after November 1, 2006, the landlord's passing through to the tenant of such increased costs in accordance with this Chapter (see Section 37.3(a)(6)) does not constitute a rent increase; and, (4) where water bill charges are attributable to water rate increases resulting from issuance of water revenue bonds authorized at the November 5, 2002 election, the landlord's passing through to the tenant of such increased costs in accordance with this Chapter (see Section 37.3(a)(5)(B)) does not constitute a rent increase.

(r) Rental Units. All residential dwelling units in the City and County of San Francisco together with the land and appurtenant buildings thereto, and all housing services, privileges, furnishings and facilities supplied in connection with the use or occupancy thereof, including garage and parking facilities.

Garage facilities, parking facilities, driveways, storage spaces, laundry rooms, decks, patios, or gardens on the same lot, or kitchen facilities or lobbies in single room occupancy (SRO) hotels, supplied in connection with the use or occupancy of a unit, may not be severed from the tenancy by the landlord without just cause as required by Section 37.9(a). Any severance, reduction or removal permitted under this Section 37.2(r) shall be offset by a corresponding reduction in rent. Either a landlord or a tenant may file a petition with the Rent Board to determine the amount of the rent reduction.

The term "rental units" shall not include:

(1) Housing accommodations in hotels, motels, inns, tourist houses, rooming and boarding houses, provided that at such time as an accommodation has been occupied by a tenant for 32 continuous days or more, such accommodation shall become a rental unit subject to the provisions of this Chapter; provided further, no landlord shall bring an action to

recover possession of such unit in order to avoid having the unit come within the provisions of this Chapter. An eviction for a purpose not permitted under Section 37.9(a) shall be deemed to be an action to recover possession in order to avoid having a unit come within the provisions of this Chapter;

(2) Dwelling units in nonprofit cooperatives owned, occupied and controlled by a majority of the residents or dwelling units solely owned by a nonprofit public benefit corporation governed by a board of directors the majority of which are residents of the dwelling units and where it is required in the corporate by-laws that rent increases be approved by a majority of the residents;

(3) Housing accommodation in any hospital, convent, monastery, extended care facility, asylum, residential care or adult day health care facility for the elderly which must be operated pursuant to a license issued by the California Department of Social Services, as required by California Health and Safety Chapters 3.2 and 3.3; or in dormitories owned and operated by an institution of higher education, a high school, or an elementary school;

(4) Except as provided in Subsections (A), (B) and (C), dwelling units whose rents are controlled or regulated by any government unit, agency or authority, excepting those unsubsidized and/or unassisted units which are insured by the United States Department of Housing and Urban Development; provided, however, that units in unreinforced masonry buildings which have undergone seismic strengthening in accordance with Building Code Chapters 16B and 16C shall remain subject to the Rent Ordinances to the extent that the ordinance is not in conflict with the seismic strengthening bond program or with the program's loan agreements or with any regulations promulgated thereunder;

(A) For purposes of Sections 37.2, 37.3(a)(10)(A), 37.4, 37.5, 37.6, 37.9, 37.9A, 37.10A, 37.11A and 37.13, and the arbitration provisions of Sections 37.8 and 37.8A applicable only to the provisions of Sections 37.3(a)(10)(A), the term "rental units" shall

include units occupied by recipients of tenant-based rental assistance where the tenant-based rental assistance program does not establish the tenant's share of base rent as a fixed percentage of a tenant's income, such as in the Section 8 voucher program and the "Over-FMR Tenancy" program defined in 24 CFR Section 982.4;

(B) For purposes of Sections 37.2, 37.3(a)(10)(B), 37.4, 37.5, 37.6, 37.9, 37.9A, 37.10A, 37.11A and 37.13, the term "rental units" shall include units occupied by recipients of tenant-based rental assistance where the rent payable by the tenant under the tenant-based rental assistance program is a fixed percentage of the tenant's income; such as in the Section 8 certificate program and the rental subsidy program for the Housing Opportunities for Persons with Aids ("HOPWA") program (42 U.S.C. Section 12901 et seq., as amended);

(C) The term "rental units" shall include units in a building for which tax credits are reserved or obtained pursuant to the federal low income housing tax credit program (LIHTC, Section 42 of the Internal Revenue Code, 26 U.S.C. Section 42), that satisfy the following criteria:

(i) Where a tenant's occupancy of the unit began before the applicable LIHTC regulatory agreement was recorded; and,

(ii) Where the rent is not controlled or regulated by any use restrictions imposed by the City and County of San Francisco, the San Francisco Redevelopment Agency, the State of California Office of Housing and Community Development, or the United States Department of Housing and Urban Development.

Nothing in this Section 37.2(r)(4)(C) precludes a landlord from seeking an exemption on the basis of substantial rehabilitation under Section 37.2(r)(6).

This Section 37.2(r)(4)(C) definition of "rental unit" shall apply to any unit where the qualifying tenant (see Section 37.2(r)(4)(C)(i)) is in possession of the unit on or after the effective date of this ordinance (Ord. No. 281-06), including but not limited to any unit where

the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit as of the effective date of this ordinance (Ord. No. 281-06).

(5) Rental units located in a structure for which a certificate of occupancy was first issued after the effective date of this ordinance; (A) except as provided for certain categories of units and dwellings by Section 37.3(d) and Section 37.9A(b) of this Chapter, and (B) except as provided in a development agreement entered into by the City under San Francisco Administrative Code Chapter 56.

(6) Dwelling units in a building which has undergone substantial rehabilitation after the effective date of this ordinance; provided, however, that RAP rental units are not subject to this exemption.

(7) Dwellings or units otherwise subject to this Chapter 37, to the extent such dwellings or units are partially or wholly exempted from rent increase limitations by the Costa-Hawkins Rental Housing Act (California Civil Code Sections 1954.50, et seq.) and/or San Francisco Administrative Code Section 37.3(d).

(s) Substantial Rehabilitation. The renovation, alteration or remodeling of residential units of 50 or more years of age which have been condemned or which do not qualify for certificates of occupancy or which require substantial renovation in order to conform the building to contemporary standards for decent, safe and sanitary housing. Substantial rehabilitation may vary in degree from gutting and extensive reconstruction to extensive improvements that cure substantial deferred maintenance. Cosmetic improvements alone such as painting, decorating and minor repairs, or other work which can be performed safely without having the unit vacated do not qualify as substantial rehabilitation.

(t) Tenant. A person entitled by written or oral agreement, sub-tenancy approved by the landlord, or by sufferance, to occupy a residential dwelling unit to the exclusion of others.

(u) Tenant-Based Rental Assistance. Rental assistance provided directly to a tenant or directly to a landlord on behalf of a particular tenant, which includes but shall not be limited to certificates and vouchers issued pursuant to Section 8 of the United States Housing Act of 1937, as amended (42 U.S.C. Section 1437f) and the HOPWA program.

(v) Utilities. The term "utilities" shall refer to gas and electricity exclusively.

Section 2. The San Francisco Administrative Code is hereby amended by adding Section 37.10B, to read as follows:

Section 37.10B. Tenant Harassment.

(a) No landlord, and no agent, contractor, subcontractor or employee of the landlord, *shall*, ~~with respect to property used as a rental housing unit under any rental housing agreement or other tenancy or estate at will, however created,~~ *do any of the following,* ~~with malice~~ in bad faith or with ulterior motive or without honest intent:

(1) Interrupt, terminate or fail to provide housing services required by contract or by State, County or local housing, health or safety laws;

(2) Fail to perform repairs and maintenance required by contract or by State, County or local housing, health or safety laws;

(3) Fail to exercise due diligence in completing repairs and maintenance once undertaken; or fail to follow appropriate industry repair, containment or remediation protocols designed to minimize exposure to noise, dust, lead paint, mold, asbestos, or other building materials with potentially harmful health impacts;

(4) Abuse the landlord's right of access into a rental housing unit as that right is provided by law ~~specified in California Civil Code Section 1954~~;

~~(5) Abuse the tenant with words which are offensive and inherently likely to provoke an immediate violent reaction~~;

(6~~5~~) Influence or attempt to influence a tenant to vacate a rental housing unit through fraud, intimidation or coercion; ~~, including~~

~~(6)~~ *~~a~~Attempts to coerce the tenant to vacate with offer(s) of payments to vacate which are accompanied with threats or intimidation;*

(7) Continue to offer payments to vacate ~~or which continue to be offered after the tenant(s) has told the landlord that such offers of payment are unwelcome~~ after tenant has notified the landlord in writing that they no longer wish to receive further offers of payments to vacate;

(~~7~~8) Threaten the tenant, by word or gesture, with physical harm;

(~~8~~9) Violate any law which prohibits discrimination based on actual or perceived *race, gender, sexual preference, sexual orientation, ethnic background, nationality,* place of birth, immigration or citizenship status, *religion, age, parenthood, marriage, pregnancy, disability, AIDS or occupancy by a minor child.*

(~~9~~10) Interfere with a tenants right to quiet use and enjoyment of a rental housing unit as that right is defined by California law;

(~~10~~11) Refuse to accept or *acknowledge receipt of a tenant's lawful rent payment;*

(12) Refuse to cash a rent check for over 30 days;

(~~11~~13) Interfere with a tenant's right to privacy.

~~(12) Commencing repeated baseless or frivolous court proceedings against any person lawfully entitled to occupancy of such dwelling unit;~~

(14) Request information that violates a tenant's right to privacy, including but not limited to residence or citizenship status or social security number.

(~~12~~5) Other repeated acts or omissions of such significance as to substantially interfere with or disturb the comfort, repose, peace or quiet of any person lawfully entitled to occupancy of such dwelling unit and that cause, are likely to cause, *or are intended to cause any person lawfully entitled*

to occupancy of a dwelling unit to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy.

(b) Nothing in this ~~Chapter~~ Section 37.10B *shall be construed as to prevent the lawful eviction of a tenant by appropriate legal means* ~~nor shall anything in this Chapter apply to occupancies defined by subdivision (b) of Civil Code Section 1940.~~

(c) Enforcement and penalties.

(1) Rent Board. Violation of this Section 37.10B *is a substantial and significant decrease in services as defined in Section 37.2(g) and tenants may file a petition with the Rent Board for a reduction in rent.*

(2) Criminal Penalty. Any person who is convicted of violating this ~~Chapter~~ Section *shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not greater than one thousand dollars or by imprisonment in the County Jail for not more than six months, or by both such fine and imprisonment.*

(3) Civil Action. Any person, including the City, may enforce the provisions of this ~~Chapter~~ Section *by means of a civil action. The burden of proof in such cases shall be preponderance of the evidence. A violation of this Chapter may be asserted as an affirmative defense in an unlawful detainer action.*

(4) Injunction. Any person who commits an act, proposes to commit an act, or engages in any pattern and practice which violates this Section 37.10B may be enjoined therefrom by any court of competent jurisdiction. An action for injunction under this subsection may be brought by any aggrieved person, by the City Attorney, or by any person or entity who will fairly and adequately represent the interest of the protected class.

(5) Penalties and Other Monetary Awards. Any person who violates or aids or incites another person to violate the provisions of this ~~Chapter~~ Section *is liable for each and every such offense for* money damages of not less than three times actual damages suffered by an aggrieved party

to occupancy of a dwelling unit to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy.

(b) Nothing in this ~~Chapter~~ Section 37.10B *shall be construed as to prevent the lawful eviction of a tenant by appropriate legal means* ~~nor shall anything in this Chapter apply to occupancies defined by subdivision (b) of Civil Code Section 1940.~~

(c) Enforcement and penalties.

(1) Rent Board. Violation of this Section 37.10B *is a substantial and significant decrease in services as defined in Section 37.2(g) and tenants may file a petition with the Rent Board for a reduction in rent.*

(2) Criminal Penalty. Any person who is convicted of violating this ~~Chapter~~ Section *shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not greater than one thousand dollars or by imprisonment in the County Jail for not more than six months, or by both such fine and imprisonment.*

(3) Civil Action. Any person, including the City, may enforce the provisions of this ~~Chapter~~ Section *by means of a civil action. The burden of proof in such cases shall be preponderance of the evidence. A violation of this Chapter may be asserted as an affirmative defense in an unlawful detainer action.*

(4) Injunction. Any person who commits an act, proposes to commit an act, or engages in any pattern and practice which violates this Section 37.10B may be enjoined therefrom by any court of competent jurisdiction. An action for injunction under this subsection may be brought by any aggrieved person, by the City Attorney, or by any person or entity who will fairly and adequately represent the interest of the protected class.

(5) Penalties and Other Monetary Awards. Any person who violates or aids or incites another person to violate the provisions of this ~~Chapter~~ Section *is liable for each and every such offense for* money damages of not less than three times actual damages suffered by an aggrieved party

(including damages for mental or emotional distress), ~~the actual damages suffered by any aggrieved party~~ or for statutory damages in the sum of one thousand dollars, whichever is greater, and whatever other relief the court deems appropriate, ~~and shall be liable for such attorney's fees and costs as may be determined by the court in addition thereto~~. In the case of an award of damages for mental or emotional distress, said award shall only be trebled if the trier of fact finds that the landlord acted in knowing violation of or in reckless disregard of Section 37.9, 37.10A, or 37.10B herein. In addition, a prevailing plaintiff shall be entitled to reasonable attorney's fees and costs pursuant to order of the court. *The* ~~court~~ trier of fact *may also award punitive damages to any plaintiff, including the City, in a proper case as defined by Civil Code Section 3294.* The remedies available under this Section shall be in addition to any other existing remedies which may be available to the tenant or the City.

(6) Defending Eviction Lawsuits. In any action to recover possession of a rental unit subject to the Chapter, unless the sole basis of the notice to quit is Section 37.9(b), the court shall award the tenant reasonable attorney fees and costs incurred in defending the action upon a finding that the tenant is the prevailing party under Code of Civil Procedure Section 1032(a)(4).

(d) Severability. If any provision or clause of this Section 37.10B, or Section 37.2(g), or the application thereof to any person or circumstance is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions of this Section 37.10B or Section 37.2(g) and all clauses of these Sections are declared to be severable.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
MARIAM MORLEY
Deputy City Attorney

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080821 **Date Passed:** July 29, 2008

Motion ordering submitted to the voters an ordinance concerning tenant rights and remedies against harassment under the City's residential rent ordinance, at an election to be held on November 4, 2008.

June 17, 2008 Board of Supervisors — SUBSTITUTED

July 29, 2008 Board of Supervisors — APPROVED

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

File No. 080821

I hereby certify that the foregoing Motion was APPROVED on July 29, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080944 MOTION NO. M08-122

[Appointment – Assessment Appeals Board No. 1]

Motion appointing Gregory Blaine, term ending September 6, 2010, to Assessment Appeals Board No. 1.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of Assessment Appeals Board No. 1, pursuant to the provisions of the Revenue and Taxation Code, Section 1623, and the San Francisco Administrative Code, Sections 2B.1 through 2B.11, for the term specified:

Gregory Blaine, succeeding Carol Ruth Silver, resigned, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 6, 2010.

Rules Committee

BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080944 **Date Passed:** July 29, 2008

Motion appointing Gregory Blaine, term ending September 6, 2010, to Assessment Appeals Board No. 1.

July 29, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080944

I hereby certify that the foregoing Motion was APPROVED on July 29, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080945 MOTION NO. M08-123

[Appointment – Assessment Appeals Board No. 2]

Motion appointing Alfredo Perez, term ending September 6, 2010, to Assessment Appeals Board No. 2.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of Assessment Appeals Board No. 2, pursuant to the provisions of the Revenue and Taxation Code, Section 1623, and the San Francisco Administrative Code, Sections 2B.12 through 2B.19, for the term specified:

Alfredo Perez, succeeding Richard Lee, resigned, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 6, 2010.

Rules Committee

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080945 **Date Passed:** July 29, 2008

Motion appointing Alfredo Perez, term ending September 6, 2010, to Assessment Appeals Board No. 2.

July 29, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080945

I hereby certify that the foregoing Motion was APPROVED on July 29, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080977 MOTION NO. M08-124

[Appointment, Public Utilities Commission – Ann Moller Caen]

Motion confirming the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, Seat 3, for the term ending August 1, 2012.

WHEREAS, Pursuant to Charter Section 4.112, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Ann Moller Caen to the Public Utilities Commission, received by the Clerk of the Board on July 11, 2008; now, therefore be it

MOVED, That the Board of Supervisors hereby confirms the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, Seat 3, must be a member with experience in project finance, for a four-year term ending August 1, 2012.

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BOARD OF SUPERVISORS

City and County of San Francisco
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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080977 **Date Passed:** July 29, 2008

Motion confirming the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, Seat 3, for the term ending August 1, 2012.

July 29, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080977

I hereby certify that the foregoing Motion was APPROVED on July 29, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080981 MOTION NO. M08-125

[Appointment, Public Utilities Commission – Francis X. Crowley]

Motion confirming the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, Seat 5, for the term ending August 1, 2012.

WHEREAS, Pursuant to Charter Section 4.112, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Francis X. Crowley to the Public Utilities Commission, received by the Clerk of the Board on July 11, 2008; now, therefore, be it

MOVED, That the Board of Supervisors hereby confirms the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, Seat 5, must be a member at-large, for a four-year term ending August 1, 2012.

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City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080981 **Date Passed:** July 29, 2008

Motion confirming the Mayor's appointment of Francis X. Crowley to the Public Utilities Commission, Seat 5, for the term ending August 1, 2012.

July 29, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080981

I hereby certify that the foregoing Motion was APPROVED on July 29, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080984 MOTION NO. M08-126

[Appointment, Public Utilities Commission – Nora Vargas]

Motion rejecting the Mayor's appointment of Nora Vargas to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010.

WHEREAS, Pursuant to Charter Section 4.112, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Nora Vargas to the Public Utilities Commission, received by the Clerk of the Board on July 11, 2008; now, therefore, be it

MOVED, That the Board of Supervisors hereby rejects the Mayor's appointment of Nora Vargas to the Public Utilities Commission, Seat 2, must be a member with experience in ratepayer or consumer advocacy, for a two-year term ending August 1, 2010.

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BOARD OF SUPERVISORS

7/11/2008

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 080984 **Date Passed:** July 29, 2008

Motion rejecting the Mayor's appointment of Nora Vargas to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010.

July 29, 2008 Board of Supervisors — APPROVED

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Alioto-Pier, Chu, Elsbernd
Absent: 1 - Sandoval

File No. 080984

I hereby certify that the foregoing Motion was APPROVED on July 29, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080987 **MOTION NO.** M08-127

[Appointment – Ballot Simplification Committee – Adele Fasick}

Motion appointing Adele Fasick, term ending November 30, 2008, to the Ballot Simplification Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Ballot Simplification Committee, pursuant to the provisions of the San Francisco Election Code, Section 600, for the term specified:

Adele Fasick, succeeding Suzanne Strassevitch, term expired, Seat No. 3, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2008.

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080987 **Date Passed:** July 29, 2008

Motion appointing Adele Fasick, term ending November 30, 2008, to the Ballot Simplification Committee.

July 29, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080987

I hereby certify that the foregoing Motion was APPROVED on July 29, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

[Authorizing preparation of Proponent/Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 4, 2008 Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 4, 2008 Election.

WHEREAS, The Board of Supervisors wishes to authorize the Board Member sponsors of the following ballot measures to prepare and submit a written proponent ballot argument and proponent rebuttal argument for submittal to the Director of Elections:

- Charter Amendment to add Section 16.127 to establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents ($0.025) on each one hundred dollars ($100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024. (Supervisor Daly)

- Charter Amendment to amend the Charter of the City and County of San Francisco by adding Section 8B.128, to create an Office of the Independent Ratepayer Advocate to evaluate, analyze, provide comments and make recommendations on the efficiency, equity, and fiscal feasibility, from the ratepayers' perspective, of utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125; to require the City Administrator to appoint an Independent Ratepayer Advocate; and prescribing the duties and responsibilities of the Office of the Independent Ratepayer Advocate. (Supervisor Alioto-Pier)

- Charter Amendment to amend the Charter of the City and County of San Francisco by amending Section 14.103, to adopt State law regarding the number of signatures required to qualify a recall petition for local officers. (Supervisor McGoldrick)

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- Charter Amendment to amend the Charter of the City and County of San Francisco by amending Section 4.101, to prohibit City employees from serving as members of boards and commissions created in the Charter. (Supervisor McGoldrick)

- Charter Amendment to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years. (Supervisor McGoldrick)

- Charter Amendment to amend the Charter of the City and County of San Francisco by adding Sections A8.523 through A8.523-7, to allow retirement system credit for eligible members who have taken unpaid parental leave while employed with the City and County; amending Sections A8.509, A8.559-10, A8.585-10, A8.586-10, A8.587-7, A8.588-10, A8.595-10, A8.596-10, A8.597-10, and A8.598-10, relating to computation of service credit for a period of unpaid parental leave; and amending Sections A8.509, A8.559-11, A8.585-11, A8.586-11, A8.587-8, A8.588-11, A8.595-11, A8.596-11, A8.597-11, and A8.598-11, relating to the source of funds for eligible members who elect to purchase service credit for a period of unpaid parental leave. (Supervisor Alioto-Pier)

- Charter Amendment to amend the Charter of the City and County by amending Sections 8B.120, 8B.123, and 9.107, and adding Sections 8B.128 through 8B.131, to: (i) address the crisis of global climate change by moving San Francisco from fossil fuels to clean, sustainable energy production, (ii) ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments, (iii) require the Public Utilities Commission to determine the most effective means of providing clean, sustainable, reliable and reasonably-priced electric service to San Francisco residents, businesses and City departments, and (iv) establish an Independent Ratepayer Advocate to represent the interests of San Franciscans that purchase utility services from the City by evaluating and making recommendations on utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125. (Supervisor Mirkarimi)

- Charter Amendment to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320, and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues. (Supervisor Maxwell)

- Charter Amendment to amend the Charter of the City and County of San Francisco by amending Section 4.105 and adding Section 4.135 to establish an Independent Historic Preservation Commission, appointed by the Mayor, subject to the approval of the Board of Supervisors and meeting certain specified qualifications, with authority to recommend approval, disapproval or modification to the Board of Supervisors of landmark, and significant or contributory building designations under the Planning Code and historical property contracts under Chapter 71 of the Administrative Code without referral to the Planning Commission; recommend approval, disapproval or modification to the Board of Supervisors of historic district and conservation district designations under the Planning Code with comment by the Planning Commission; approve, disapprove, or modify certificates of appropriateness to landmarks buildings or historic districts; approve, disapprove, or modify permits for major and minor alterations to significant or contributory buildings or conservation districts; recommend a Preservation Element of the General Plan to the Planning Commission; and take such other actions on matters as may be prescribed by ordinance; and establishing appeal provisions; requiring referral of certain matters; and establishing budget, fees and staffing provisions. (Supervisor Peskin)

- Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by (1) amending Section 902.1 and adding Section 902.2 to clarify the tax liability of "pass through entities" under the Payroll Expense Tax Ordinance, including partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities and specifying safe harbor measure of taxable payroll expense for owners of pass through entity (200% of compensation for its most highly paid quartile of employees, provided entity has at least 4 employees); and (2) amending Section 905-A to increase the Small Business Tax Exemption to include all taxpayers whose taxable payroll expense is $250,000 or less. (Supervisor Peskin)

- Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by: (1) amending Section 1102 to increase the Real Property Transfer Tax rate from 0.75% to 1.5% if the consideration for or value of the transfer exceeds $5 million; (2) amending Section 1105 to reduce the tax on transfers of residential property by up to one third (1/3) if, after January 1, 2009, the transferor has installed an active solar system or made seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies; (3) amending Section 1114 to clarify application of tax to transfers of ownership interests in legal entities that own real estate; and (4) amending Section 1108.3 to apply transfer tax to transfers of 35 year or longer leasehold interests. (Supervisor Peskin)

- Motion ordering submitted to the voters an ordinance concerning tenant rights and remedies against harassment under the City's residential rent ordinance, at an election to be held on November 4, 2008. (Supervisor Daly)

WHEREAS, The Board of Supervisors wishes to authorize the Board Member(s) opposed to the following ballot measures to prepare and submit a written opponent ballot argument and rebuttal ballot argument for submittal to the Director of Elections:

- Charter Amendment to add Section 16.127 to establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents ($0.025) on each one hundred dollars ($100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024. (Supervisor Elsbernd)

- Charter Amendment to amend the Charter of the City and County of San Francisco by adding Section 8B.128, to create an Office of the Independent Ratepayer Advocate to evaluate, analyze, provide comments and make recommendations on the efficiency, equity, and fiscal feasibility, from the ratepayers' perspective, of utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125; to require the City Administrator to appoint an Independent Ratepayer Advocate; and prescribing the duties and responsibilities of the Office of the Independent Ratepayer Advocate. (Supervisor Daly)

- Charter Amendment to amend the Charter of the City and County of San Francisco by amending Section 14.103, to adopt State law regarding the number of signatures required to qualify a recall petition for local officers. (Supervisor Elsbernd)

- Charter Amendment to amend the Charter of the City and County of San Francisco by: adding Sections A8.523 through A8.523-7, to allow retirement system credit for eligible members who have taken unpaid parental leave while employed with the City and County; amending Sections A8.509, A8.559-10, A8.585-10, A8.586-10, A8.587-7, A8.588-10, A8.595-10, A8.596-10, A8.597-10, and A8.598-10, relating to computation of service credit for a period of unpaid parental leave; and amending Sections A8.509, A8.559-11, A8.585-11, A8.586-11, A8.587-8, A8.588-11, A8.595-11, A8.596-11, A8.597-11, and A8.598-11, relating to the source of funds for eligible members who elect to purchase service credit for a period of unpaid parental leave. (Supervisors Peskin)

- Charter Amendment to amend the Charter of the City and County of San Francisco by amending Section 4.101, to prohibit City employees from serving as members of boards and commissions created in the Charter. (Supervisors Dufty)

- Charter Amendment to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years. (Supervisor Elsbernd)

- Charter Amendment to amend the Charter of the City and County by amending Sections 8B.120, 8B.123, and 9.107, and adding Sections 8B.128 through 8B.131, to: (i) address the crisis of global climate change by moving San Francisco from fossil fuels to clean, sustainable energy production, (ii) ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments, (iii) require the Public Utilities Commission to determine the most effective means of providing clean, sustainable, reliable and reasonably-priced electric service to San Francisco residents, businesses and City departments, and (iv) establish an Independent Ratepayer Advocate to represent the interests of San Franciscans that purchase utility services from the City by evaluating and making recommendations on utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125. (Supervisor Alioto-Pier)

- Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by: (1) amending Section 1102 to increase the Real Property Transfer Tax rate from 0.75% to 1.5% if the consideration for or value of the transfer exceeds $5 million; (2) amending Section 1105 to reduce the tax on transfers of residential property by up to one third (1/3) if, after January 1, 2009, the transferor has installed an active solar system or made seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies; (3) amending Section 1114 to clarify application of tax to transfers of ownership interests in legal entities that own real estate; and (4) amending Section 1108.3 to apply transfer tax to transfers of 35 year or longer leasehold interests. (Supervisor Chu)

- Motion ordering submitted to the voters an ordinance concerning tenant rights and remedies against harassment under the City's residential rent ordinance, at an election to be held on November 4, 2008. (Supervisor Elsbernd)

- Ordinance amending the San Francisco Business and Tax Regulations Code by amending section 1404 to change the composition of the San Francisco Transportation Authority, and to declare it City policy that the Authority: maximize efficiency by having staff functions for the Transportation Authority performed, to the extent practicable, by agencies and departments of the City and County; maximize fiscal accountability by obtaining expert financial review before adoption of Authority budgets; and, maximize public accountability by adopting the ethics and public records laws that apply to the City and County. (Supervisor McGoldrick).

- Ordinance amending the San Francisco Administrative Code by adding Chapter 30, Section 30.1, to authorize the creation of the San Francisco Community Justice Center in collaboration with the Superior Court, to address crimes that negatively impact the quality of life of those living and working in the Tenderloin, South of Market, Civic Center, and Union Square neighborhoods. The

Center is authorized to use proven tools to encourage misdemeanor and nonviolent felony offenders to get judicial adjudication and social services in one location with the intent to improve the neighborhood. Following extensive review and community input, this ordinance authorizes the Director of Property to enter into a lease, sublease or other property-related agreement to house the City services provided in connection with the Center, authorizes various tenant improvements, appropriates funding for the Center for fiscal year 2008-2009, and authorizes additional actions consistent with the ordinance. (Supervisor McGoldrick)

WHEREAS, The Board Member(s) authorized to submit the proponent and opponent ballot arguments, will submit the argument to the Director of Elections no later than the deadline of noon, August 14, 2008, and the respective rebuttal ballot argument no later than noon, August 18, 2008; now, therefore, be it

MOVED, That the Board of Supervisors hereby authorizes the sponsors and designated opponents of each measure, as listed above, under the provisions of the San Francisco Elections Code Sections 530 and 550, to prepare and submit a written proponent and opponent ballot argument and respective rebuttal ballot arguments on their measures; and, be it

FURTHER MOVED, That the sponsors and opponents of measures submitted to the voters for the November 4, 2008 Election, who are authorized by this motion to prepare and submit arguments, may authorize or assign to any other person(s) under the provisions of the San Francisco Elections Code Sections 530 and 550 (c) and (d) the right to prepare and submit the proponent or opponent's ballot arguments and/or respective rebuttal arguments.

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Motion

File Number: 081070 **Date Passed:** August 5, 2008

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 4, 2008 Election.

August 5, 2008 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

August 5, 2008 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081070

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on August 5, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080889 MOTION NO. M08-129

[Approving the decision of the Director of Public Works and disapproving the Tentative Map for 1420 Turk Street and 1535 Eddy Street.]

Motion approving the decision of the Director of Public Works and disapproving the Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.

WHEREAS, The Planning Department found the subject Tentative Map inconsistent with the City's General Plan and priority policy findings of Planning Code Section 101.1 and issued no determination under the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq). Said decision is on file with the Clerk of the Board of Supervisors in File No. 080888 and is incorporated herein by reference; and,

WHEREAS, The Department of Public Works, in a decision dated June 5, 2008, disapproved a Tentative Map for a 325-unit condominium subdivision at 1420 Turk Street and 1535 Eddy Street, based on the Planning Department's determination and a finding that the subject Map was inconsistent with the San Francisco Subdivision Code. Said determination is on file with the Clerk of the Board of Supervisors in File No. 080888 and is incorporated herein by reference; now, therefore, be it;

MOVED, That the Board hereby adopts as its own the Planning Department's and Department of Public Works' findings concerning a Tentative Map at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019; and, be it

FURTHER MOVED, That the Board approves the decision of the Department of Public Works concerning the Tentative Map and hereby disapproves said Map.

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Motion

File Number: 080889 **Date Passed:** August 12, 2008

Motion approving the decision of the Director of Public Works and disapproving the Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.

July 15, 2008 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

July 16, 2008 Board of Supervisors — CONTINUED

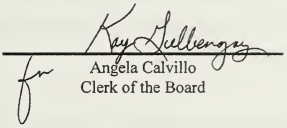
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

August 12, 2008 Board of Supervisors — APPROVED

Ayes: 7 - Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 2 - Ammiano, Sandoval

File No. 080889

I hereby certify that the foregoing Motion was APPROVED on August 12, 2008 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

FILE NO. 080891 MOTION NO. M08-130

[Findings – 1420 Turk Street and 1535 Eddy Street.]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.

MOVED, That the Clerk of the Board is hereby directed to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for a 325-unit condominium subdivision at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019, for consideration by the Board at its next meeting.

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Motion

File Number: 080891 **Date Passed:** August 12, 2008

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Final Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.

July 15, 2008 Board of Supervisors — CONTINUED
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

July 16, 2008 Board of Supervisors — CONTINUED
Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

August 12, 2008 Board of Supervisors — APPROVED
Ayes: 7 - Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 2 - Ammiano, Sandoval

File No. 080891

I hereby certify that the foregoing Motion was APPROVED on August 12, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080893 MOTION NO. MD8-131

[Approving the decision of the Director of Public Works and disapproving the Tentative Map for 1345 Fillmore Street.]

Motion approving the decision of the Director of Public Works and disapproving the Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.

WHEREAS, The Planning Department found the subject Tentative Map inconsistent with the City's General Plan and priority policy findings of Planning Code Section 101.1 and issued no determination under the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq). Said decision is on file with the Clerk of the Board of Supervisors in File No. 080892 and is incorporated herein by reference; and,

WHEREAS, The Department of Public Works, in a decision dated June 5, 2008, disapproved a Tentative Map for a 330-unit condominium subdivision at 1345 Fillmore Street, based on the Planning Department's determination and a finding that the subject Map was inconsistent with the San Francisco Subdivision Code. Said determination is on file with the Clerk of the Board of Supervisors in File No. 080892 and is incorporated herein by reference; now, therefore, be it;

MOVED, That the Board hereby adopts as its own the Planning Department's and Department of Public Works' findings concerning a Tentative Map at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67; and, be it

FURTHER MOVED, That the Board approves the decision of the Department of Public Works concerning the Tentative Map and hereby disapproves said Map.

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Motion

File Number: 080893 **Date Passed:** August 12, 2008

Motion approving the decision of the Director of Public Works and disapproving the Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.

July 15, 2008 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

July 16, 2008 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

August 12, 2008 Board of Supervisors — APPROVED

Ayes: 7 - Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 2 - Ammiano, Sandoval

File No. 080893

I hereby certify that the foregoing Motion was APPROVED on August 12, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080895 MOTION NO. M08-132

[Findings – 1345 Fillmore Street Tentative Map.]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.

MOVED, That the Clerk of the Board is hereby directed to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67, for consideration by the Board at its next meeting.

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Motion

File Number: 080895 **Date Passed:** August 12, 2008

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Final Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.

July 15, 2008 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

July 16, 2008 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

August 12, 2008 Board of Supervisors — APPROVED

Ayes: 7 - Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 2 - Alioto-Pier, Elsbernd
Absent: 2 - Ammiano, Sandoval

File No. 080895

I hereby certify that the foregoing Motion was APPROVED on August 12, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Amendment of the whole
In Board
8/12/08

FILE NO. 081044 MOTION NO. M08-133

[Disapproving the decision of the Director of Public Works and approving the Tentative Parcel Map for 628-632 Steiner Street.]

Motion disapproving the decision of the Director of Public Works and approving the Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

WHEREAS, On July 7, 2008, the Planning Department found the subject Tentative Parcel Map inconsistent with the City's General Plan and priority policy findings of Planning Code Section 101.1 and issued no determination under the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq). Said decision is on file with the Clerk of the Board of Supervisors in File No. and is incorporated herein by reference; and,

WHEREAS, The Department of Public Works, in a decision dated July 14, 2008, disapproved a Tentative Parcel Map for a 3-unit condominium conversion subdivision at 628-632 Steiner Street, based on the Planning Department's determination. Said determination is on file with the Clerk of the Board of Supervisors in File No. and is incorporated herein by reference; and,

WHEREAS, On August 4, 2008, the Planning Department submitted a new letter to the Board determining that the subject tentative parcel map would be consistent with the General Plan if a condition were added to a tentative parcel map approval requiring the Applicant to demonstrate to the satisfaction of the Planning Department that all permit work related to removal of the illegal 4th unit has been completed and properly documented prior to submission of the final parcel map to the Department of Public Works. A copy of said letter is on file with the Clerk of the Board of Supervisors in File No. and is incorporated herein by reference. Said letter also determined that with the addition of such a

Clerk
BOARD OF SUPERVISORS

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condition, the tentative parcel map would qualify for a Class 1 categorical exemption as set forth in the California Environmental Quality Act Guidelines; and,

WHEREAS, The Planning Department submitted additional information at the tentative parcel map appeal hearing on August 12, 2008, that includes findings of consistency with the General Plan and an environmental determination under the California Environmental Quality Act subject to the inclusion of a condition on said map as specified above. A copy of such information is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference; now, therefore, be it;

MOVED, That the Board hereby overturns the findings of the Planning Department and the Department of Public Works concerning a Tentative Parcel Map at 628-632 Steiner Street, Assessor's Block 0822, Lot 024 for the reasons set forth in this Motion; and, be it

FURTHER MOVED, In overturning disapproval of the subject map, the Board finds the map can be approved only if the following condition is imposed on the tentative parcel map Prior to submission of the final parcel map to the Department of Public Works, the applicant shall demonstrate to the satisfaction of the Planning Department that all permit work related to removal of the illegal 4th unit has been completed and properly documented; and be it

FURTHER MOVED, That the Board adopt its own findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1 as set forth in the abovementioned Planning Department submission to the Board presented on August 12, 2008; and, be it

FURTHER MOVED, That the Board, based on a determination of the Planning Department pursuant to the California Environmental Quality Act, a copy of which is on file with the Clerk of the Board in File No. _____ and is incorporated herein by reference, disapproves the decision of the Department of Public Works concerning the

Tentative Parcel Map and hereby conditionally approves said Map subject to the condition specified above.

City and County of San Francisco

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Motion

File Number: 081044 **Date Passed:** August 12, 2008

Motion disapproving the decision of the Director of Public Works and approving the Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

August 12, 2008 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

August 12, 2008 Board of Supervisors — APPROVED AS AMENDED

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 081044

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on August 12, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081045 MOTION NO. M08-134

[Findings – 628-632 Steiner Street.]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

MOVED, That the Clerk of the Board is hereby directed to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 3-unit condominium conversion subdivision at 628-632 Steiner Street, Assessor's Block 0822, Lot 024, for consideration by the Board at its next meeting.

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Motion

File Number: 081045 **Date Passed:** August 12, 2008

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

August 12, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 081045

I hereby certify that the foregoing Motion was APPROVED on August 12, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

[Affirm adoption of the mitigated negative declaration for the 300 Grant Avenue project.]

Motion affirming Planning Commission adoption of the final mitigated negative declaration for the 300 Grant Avenue project.

WHEREAS, On December 2, 2006, in accordance with the California Environmental Quality Act ("CEQA"), the CEQA Guidelines and San Francisco Administrative Code Chapter 31, the Environmental Review Officer of the Planning Department issued a preliminary mitigated negative declaration for the 300 Grant Avenue Project, which is a proposal to demolish two commercial buildings and construct a new, 111,000 gross square-feet, 10-story, mixed-use building containing approximately 45 dwelling units, below-grade parking and ground-floor and second-floor retail on two lots in the C-3-R district within the Kearney-Market-Mason-Sutter Conservation District; and

WHEREAS, On February 15, 2007 and February 16, 2007, Pamela S. Duffy, on behalf of Waverly Grant Partnership, and Sue Hestor, on behalf of certain 333 Grant Avenue residents, respectively, filed appeals of the Preliminary Negative Declaration to the Planning Commission in accordance with Administrative Code Section 31.11(c); and

WHEREAS, On June 12, 2008, following a noticed public hearing, the Planning Commission by Motion No. 17614 affirmed the conclusions of the Final Mitigated Negative Declaration for the 300 Grant Street Project ("Mitigated Negative Declaration") that the project would not have a significant effect on the environment in accordance with Administrative Code Section 31.11(g). A copy of said document is on file with the Clerk of the Board of Supervisors in File No. 080927 and is incorporated by reference herein; and,

WHEREAS, on the same day, the Planning Commission approved various exceptions to the Planning Code for the project under Section 309 by Motion No. 17615 and adopted the

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Final Mitigated Negative Declaration in accordance with Administrative Code Section 31.11(h); and

WHEREAS, The Clerk of the Board received an appeal of the Mitigated Negative Declaration from Sue C. Hestor on July 2, 2008, on behalf of Al and Paola Habegger, David Anders and Kenneth and Anna Zankel, residents of 333 Grant Avenue ("Appellants"); and

WHEREAS, This Board of Supervisor's held a duly noticed public hearing on August 12, 2008, to consider the Mitigated Negative Declaration appeal filed by Appellants; and

WHEREAS, This Board has reviewed and considered the Mitigated Negative Declaration and heard testimony, the appeal letter, a responses to concerns document prepared by the Planning Department and received public comment regarding the adequacy of this document; and

WHEREAS, The Mitigated Negative Declaration files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for public review by appointment at the Planning Department offices at 1660 Mission Street, and are part of the record before this Board by reference herein; and

WHEREAS, Since the Planning Commission adoption of the Mitigated Negative Declaration, there is no new information of significance that would require a substantial revision to the Mitigated Negative Declaration and necessitate recirculation of said document pursuant to CEQA Guidelines Section 15073.5; now, therefore, be it

MOVED, That this Board of Supervisors finds that the contents of the Mitigated Negative Declaration and the procedures through which it was prepared, publicized, and reviewed complied with the provisions of the California Environmental Quality Act (Cal. Pub. Res. Code Sections 21000 et seq., hereinafter "CEQA"), the State CEQA Guidelines (Cal. Code Regs., Title 14, Section 15000 et seq., ("CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and, be it

FURTHER MOVED, That based on substantial evidence in light of the whole record, this Board of Supervisors finds the Mitigated Negative Declaration reflects its independent judgment and analysis and is adequate, accurate, and objective, and hereby affirms the decision of the Planning Commission to adopt the Mitigated Negative Declaration for the 300 Grant Street Project in compliance with CEQA, the State CEQA Guidelines, and Chapter 31; and, be it

FURTHER MOVED, that this Board of Supervisors adopts the findings of Planning Commission Motion No. 17614 that it previously incorporated by reference into this motion.

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Motion

File Number: 080928 **Date Passed:** August 12, 2008

Motion affirming Planning Commission adoption of the final mitigated negative declaration for the 300 Grant Avenue project.

August 12, 2008 Board of Supervisors — APPROVED

Ayes: 8 - Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
Absent: 2 - Ammiano, Maxwell

File No. 080928

I hereby certify that the foregoing Motion was APPROVED on August 12, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080936 MOTION NO. M08-136

[Reappointment, Planning Commission – Michael Antonini]

Motion approving the Mayor's reappointment of Michael Antonini to the Planning Commission term ending July 1, 2012.

WHEREAS, Pursuant to Charter Section 4.105, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of Michael Antonini to the Planning Commission, received by the Clerk of the Board on July 8, 2008; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Michael Antonini to the Planning Commission term ending July 1, 2012.

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File Number: 080936 **Date Passed:** August 12, 2008

Motion approving the Mayor's reappointment of Michael Antonini to the Planning Commission term ending July 1, 2012.

August 12, 2008 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Ammiano, Daly

File No. 080936

I hereby certify that the foregoing Motion was APPROVED on August 12, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080938 MOTION NO. M08-137

[Reappointment, Planning Commission – Ron Miguel]

Motion approving the Mayor's reappointment of Ron Miguel to the Planning Commission term ending July 1, 2012.

WHEREAS, Pursuant to Charter Section 4.105, the Mayor's has submitted a communication notifying the Board of Supervisors of the nomination of Ron Miguel to the Planning Commission, received by the Clerk of the Board on July 8, 2008; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Ron Miguel to the Planning Commission term ending July 1, 2012.

Clerk of the Board of Supervisors
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Motion

File Number: 080938 **Date Passed:** August 12, 2008

Motion approving the Mayor's reappointment of Ron Miguel to the Planning Commission term ending July 1, 2012.

August 12, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080938

I hereby certify that the foregoing Motion was APPROVED on August 12, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080985 MOTION NO. M08-138

[Appointment, Public Utilities Commission – Francesca Vietor]

Motion confirming the Mayor's appointment of Francesca Vietor to the Public Utilities Commission, Seat 1, for the term ending August 1, 2012.

WHEREAS, Pursuant to Charter Section 4.112, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Francesca Vietor to the Public Utilities Commission, received by the Clerk of the Board on July 11, 2008; now, therefore, be it

MOVED, That the Board of Supervisors hereby confirms the Mayor's appointment of Francesca Vietor to the Public Utilities Commission, Seat 1, must be a member with experience in environmental policy and an understanding of environmental justice issues, for a four-year term ending August 1, 2012.

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Motion

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File Number: 080985 **Date Passed:** August 12, 2008

Motion confirming the Mayor's appointment of Francesca Vietor to the Public Utilities Commission, Seat 1, for the term ending August 1, 2012.

August 12, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 080985

I hereby certify that the foregoing Motion was APPROVED on August 12, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081126 **MOTION NO.** M08-139

[Final Map 2781: 146 – 148 South Van Ness Avenue]

Motion approving Final Map 2781, a 2 Lot Airspace Project, located at 146 – 148 South Van Ness Avenue being a subdivision of Lot 046 in Assessors Block No. 3514 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 2781", comprising 3 sheets, approved July 30, 2008 by Department of Public Works Order No. 177, 718 is hereby approved and said map is adopted as an Official Final Map 2781; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated December 29, 2003, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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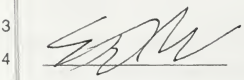
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

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File Number: 081126 **Date Passed:** September 9, 2008

Motion approving Final Map 2781, a 2 Lot Airspace Project, located at 146 – 148 South Van Ness Avenue being a subdivision of Lot 046 in Assessors Block No. 3514 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

September 9, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081126

I hereby certify that the foregoing Motion was APPROVED on September 9, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081148 MOTION NO. M08-140

[Findings – Approval of the Tentative Parcel Map for 628-632 Steiner Street.]

Motion adopting findings concerning the approval with conditions of a Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

WHEREAS, The Planning Department, on July 7, 2008, found the subject Tentative Parcel Map inconsistent with the City's General Plan and priority policy findings of Planning Code Section 101.1 and issued no determination under the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq). Said decision is on file with the Clerk of the Board of Supervisors in File No. 081042 and is incorporated herein by reference; and,

WHEREAS, The Department of Public Works, in a decision dated July 14, 2008, disapproved a Tentative Parcel Map for a 3-unit condominium conversion subdivision at 628-632 Steiner Street, based on the Planning Department's determination. Said determination is on file with the Clerk of the Board of Supervisors in File No. 081042 and is incorporated herein by reference; and,

WHEREAS, On August 4, 2008, the Planning Department submitted a new letter to the Board determining that the subject tentative parcel map would be consistent with the General Plan if a condition were added to a tentative parcel map approval requiring the Applicant to demonstrate to the satisfaction of the Planning Department that all permit work related to removal of the illegal 4th unit has been completed and properly documented prior to submission of the final parcel map to the Department of Public Works. A copy of said letter is on file with the Clerk of the Board of Supervisors in File No. 081042 and is incorporated herein by reference. Said letter also determined that with the addition of such a condition, the

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Tentative Parcel Map would qualify for a Class 1 categorical exemption as set forth in the California Environmental Quality Act Guidelines; and,

WHEREAS, On August 12, 2008, the Board of Supervisors, at a duly noticed public hearing, conducted the appeal of the Tentative Parcel Map. The Planning Department submitted additional information at this hearing that includes findings of consistency with the General Plan and an environmental determination under the California Environmental Quality Act subject to the inclusion of a condition on said map as specified above. A copy of such information is on file with the Clerk of the Board of Supervisors in File No. 081042 and is incorporated herein by reference; and,

WHEREAS, The record before the Board included, but was not limited to, the materials mentioned above and public testimony at the hearing. Such materials are on file with the Clerk of the Board of Supervisors in File No. 081042 and are incorporated herein by reference; and,

WHEREAS, At the abovementioned hearing, the Board determined, based on the decisions of the Departments of Public Works and City Planning and the materials and testimony provided, to overturn the decisions of the Departments and approve, with conditions, the subject Tentative Parcel Map. This action is reflected in the Board Motion No. 08-133, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 081044 and is incorporated herein by reference; now, therefore, be it;

MOVED, That the Board hereby overturns the findings of the Planning Department and the Department of Public Works concerning a Tentative Parcel Map at 628-632 Steiner Street, Assessor's Block 0822, Lot 024 for the reasons set forth in this Motion; and, be it

FURTHER MOVED, In overturning disapproval of the subject map, the Board finds the map is conditionally approved the following condition: Prior to submission of the final parcel map to the Department of Public Works, the applicant shall demonstrate to the satisfaction of

the Planning Department that all permit work related to removal of the illegal 4th unit has been completed and properly documented. In addition, the Board adopts its own findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1 as set forth in the abovementioned Planning Department submission to the Board presented on August 12, 2008 and finds this decision satisfies the requirements the California Environmental Quality Act, also based on this Planning Department submission; and, be it

FURTHER MOVED, That the Board disapproves the decision of the Department of Public Works concerning the Tentative Parcel Map and hereby conditionally approves said Map subject to the condition specified above.

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File Number: 081148 **Date Passed:** September 9, 2008

Motion adopting findings concerning the approval with conditions of a Tentative Parcel Map for a 3-unit condominium conversion subdivision located at 628-632 Steiner Street, Assessor's Block 0822, Lot 024.

August 25, 2008 Board of Supervisors — REFERRED: Board of Supervisors

September 9, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081148

I hereby certify that the foregoing Motion was APPROVED on September 9, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081147 MOTION NO. M08-141

[Findings – Disapproval of the Tentative Map for 1420 Turk Street and 1535 Eddy Street.]

Motion adopting findings concerning the disapproval of a Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.

WHEREAS, The Planning Department found the subject Tentative Map inconsistent with the City's General Plan and priority policy findings of Planning Code Section 101.1 and issued no determination under the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq). Said decision is on file with the Clerk of the Board of Supervisors in File No. 080888 and is incorporated herein by reference; and,

WHEREAS, The Department of Public Works, in a decision dated June 5, 2008, disapproved a Tentative Map for a 325-unit condominium subdivision at 1420 Turk Street and 1535 Eddy Street, based on the Planning Department's determination and a finding that the subject Map was inconsistent with the San Francisco Subdivision Code. The basis of this determination is that the proposed subdivision, as an occupied residential building, is a condominium conversion pursuant to Subdivision Code Section 1308. As a condominium conversion, the subdivision failed to comply with Article 9 of the Subdivision Code, which establishes specific terms and requirements for condominium conversion subdivisions, and other applicable law. Said determination is on file with the Clerk of the Board of Supervisors in File No. 080888 and is incorporated herein by reference; and,

WHEREAS, On July 15, the Board of Supervisors, at a duly noticed public hearing, continued the appeal hearing to August 12, 2008; and,

WHEREAS, On August 12, 2008, the Board of Supervisors, at a duly noticed public hearing, reconvened and conducted the appeal of the Tentative Map. This was a

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consolidated hearing that included the Tentative Map disapproval for a 330-unit condominium subdivision at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67 as this action involved the same property owner, subdivision proposal, and legal framework, and resulted in the same City decision. In recognition of the consolidated appeal, the Board provided additional time to the appellant to present its position and rebut the City's position. The materials related to this appeal are on file with the Clerk of the Board of Supervisors in File No. 080892 and are incorporated herein by reference; and,

WHEREAS, The record before the Board included, but was not limited to, a letter dated August 7, 2008 and other materials submitted by the appellant, a letter from the City Attorney's Office dated August 11, 2008 on behalf of the Department of Public Works, a letter from the Planning Department dated August 11, 2008, and public testimony at the hearing. Such materials are on file with the Clerk of the Board of Supervisors in File No. 080888 and are incorporated herein by reference; and,

WHEREAS, At the abovementioned hearing, the Board determined, based on the decisions of the Departments of Public Works and City Planning and the materials and testimony provided, that the subject Tentative Map was a proposed condominium conversion subject to and prohibited under the terms and requirements of the San Francisco Subdivision Code. The Board also found the subject Map inconsistent with the City's General Plan and priority policies of Planning Code Section 101.1; now, therefore, be it;

MOVED, That the Board upholds the decisions of the Department of Public Works and the Planning Department concerning the Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019, and hereby disapproves said Map for the reasons set forth above.

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Motion

File Number: 081147 **Date Passed:** September 9, 2008

Motion adopting findings concerning the disapproval of a Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.

August 25, 2008 Board of Supervisors — REFERRED: Board of Supervisors

September 9, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081147

I hereby certify that the foregoing Motion was APPROVED on September 9, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081146 MOTION NO. M08-142

[Findings – Disapproval of the Tentative Map for 1345 Fillmore Street.]

Motion adopting findings concerning the disapproval of a Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.

WHEREAS, The Planning Department found the subject Tentative Map inconsistent with the City's General Plan and priority policy findings of Planning Code Section 101.1 and issued no determination under the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq). Said decision is on file with the Clerk of the Board of Supervisors in File No. 080892 and is incorporated herein by reference; and,

WHEREAS, The Department of Public Works, in a decision dated June 5, 2008, disapproved a Tentative Map for a 330-unit condominium subdivision at 1345 Fillmore Street, based on the Planning Department's determination and a finding that the subject Map was inconsistent with the San Francisco Subdivision Code. The basis of this determination is that the proposed subdivision, as an occupied residential building, is a condominium conversion pursuant to Subdivision Code Section 1308. As a condominium conversion, the subdivision failed to comply with Article 9 of the Subdivision Code, which establishes specific terms and requirements for condominium conversion subdivisions, and other applicable law. Said determination is on file with the Clerk of the Board of Supervisors in File No. 080892 and is incorporated herein by reference; and,

WHEREAS, On July 15, the Board of Supervisors, at a duly noticed public hearing, continued the appeal hearing to August 12, 2008; and,

WHEREAS, On August 12, 2008, the Board of Supervisors, at a duly noticed public hearing, reconvened and conducted the appeal of the Tentative Map. This was a

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consolidated hearing that included the Tentative Map disapproval for a 325-unit condominium subdivision at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019 as this action involved the same property owner, subdivision proposal, and legal framework, and resulted in the same City decision. In recognition of the consolidated appeal, the Board provided additional time to the appellant to present its position and rebut the City's position. The materials related to this appeal are on file with the Clerk of the Board of Supervisors in File No. 080888 and are incorporated herein by reference; and,

WHEREAS, The record before the Board included, but was not limited to, a letter dated August 7, 2008 and other materials submitted by the appellant, a letter from the City Attorney's Office dated August 11, 2008 on behalf of the Department of Public Works, a letter from the Planning Department dated August 11, 2008, and public testimony at the hearing. Such materials are on file with the Clerk of the Board of Supervisors in File No. 080892 and are incorporated herein by reference; and,

WHEREAS, At the abovementioned hearing, the Board determined, based on the decisions of the Departments of Public Works and City Planning and the materials and testimony provided, that the subject Tentative Map was a proposed condominium conversion subject to and prohibited under the terms and requirements of the San Francisco Subdivision Code. The Board also found the subject Map inconsistent with the City's General Plan and priority policies of Planning Code Section 101.1; now, therefore, be it;

MOVED, That the Board upholds the decisions of the Department of Public Works and the Planning Department concerning the Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67, and hereby disapproves said Map for the reasons set forth above.

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File Number: 081146 **Date Passed:** September 9, 2008

Motion adopting findings concerning the disapproval of a Tentative Map for a 330-unit condominium subdivision located at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67.

August 25, 2008 Board of Supervisors — REFERRED: Board of Supervisors

September 9, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081146

I hereby certify that the foregoing Motion was APPROVED on September 9, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080763 MOTION NO. M08-143

[Final Map 5181 – 901 Bush Street]

Motion approving Final Map 5181, a 38 Unit Residential Condominium Project, located at 901 Bush Street being a subdivision of Lot 001 in Assessors Block No. 0282 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5181", comprising 3 sheets, approved August 27, 2008, by Department of Public Works Order No. 177, 779 is hereby approved and said map is adopted as an Official Final Map 5181; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated June 2, 2008, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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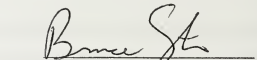
RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
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Motion

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080763 **Date Passed:** September 16, 2008

Motion approving Final Map 5181, a 38 Unit Residential Condominium Project, located at 901 Bush Street being a subdivision of Lot 001 in Assessors Block No. 0282 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

September 16, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 080763

I hereby certify that the foregoing Motion was APPROVED on September 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080711 MOTION NO. M08-144

[Final Map 4547 – 480 14th Street]

Motion approving Final Map 4547, a 12 Unit Residential Condominium Project, located at 480 14th Street being a subdivision of Lot 166 in Assessors Block No. 3533 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4547", comprising 3 sheets, approved August 27, 2008, by Department of Public Works Order No. 177, 761 is hereby approved and said map is adopted as an Official Final Map 4547; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated December 11, 2007, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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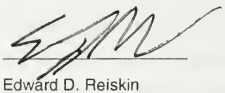
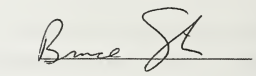
RECOMMENDED:



Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 080711 **Date Passed:** September 16, 2008

Motion approving Final Map 4547, a 12 Unit Residential Condominium Project, located at 480 14th Street being a subdivision of Lot 166 in Assessors Block No. 3533 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

September 16, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 080711

I hereby certify that the foregoing Motion was APPROVED on September 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081138 MOTION NO. M08-145

[Affirm certification of Central Subway Project Final Supplemental EIR]

Motion affirming the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the Central Subway Project.

WHEREAS, The San Francisco Municipal Transportation Agency (the "Project Sponsor") is proposing to construct a continuation of the T-Third Light Rail Vehicle line from the Caltrain Station at Fourth and King Street to an underground station in Chinatown (the "Project"); and

WHEREAS, The Project Sponsor applied for environmental review of the Project, which is Phase 2 of the Third Street Light Rail Project for which the City certified a joint Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) in 1998 (Planning Department Case File No 1996.281E); and

WHEREAS, The Planning Department for the City and County of San Francisco (the "Department") determined that a Supplemental EIS/EIR was required for the Project and provided public notice of that determination by publication in a newspaper of general circulation on June 11, 2005; and

WHEREAS, On October 17, 2007, the Department published the Draft Supplemental EIS/EIR and provided public notice in a newspaper of general circulation of the availability of the document for public review and comment and of the date and time of the Planning Commission public hearing on the Draft Supplemental EIS/EIR and mailed this notice to the Department's list of persons requesting such notice; and

WHEREAS, Notice of availability of the Draft Supplemental EIS/EIR and the date and time of the public hearing were posted along the project site on October 17, 2007 and on

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October 26, 2007, the Federal Transit Administration published a notice of availability of the Supplemental EIS in the Federal Register; and

WHEREAS, On October 17, 2007, copies of the Draft Supplemental EIS/EIR were mailed or otherwise delivered to a list of persons requesting it, those noted on the distribution list in the Draft Supplemental EIS/EIR, and government agencies and a notice of completion was filed with the State Clearinghouse on October 15, 2007; and

WHEREAS, On November 15, 2007, the Planning Commission held a duly noticed public hearing on the Draft Supplemental EIS/EIR, at which time opportunity for public comment was received on the Draft Supplemental EIS/EIR, and written comments were received through December 10, 2007; and

WHEREAS, The Department prepared responses to comments received at the public hearing on the Draft Supplemental EIS/EIR and submitted in writing to the Department, prepared revisions to the text of the Draft Supplemental EIS/EIR and published a Draft Summary of Comments and Responses on July 11, 2008; and

WHEREAS, A Final Supplemental Environmental Impact Report ("Final Supplemental EIR") for the Project was prepared by the Department, consisting of the Draft Supplemental EIS/EIR, any consultations and comments received during the review process, any additional information that became available and the Draft Summary of Comments and Responses, all as required by law; and

WHEREAS, On August 7, 2008, the Commission reviewed and considered the Final Supplemental EIR and, by Motion No. M-17668, found that the contents of said report and the procedures through which the Final Supplemental EIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. M-17668, the Commission found the Final Supplemental EIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Department and the Commission and that the Summary of Comments and Responses contained no significant revisions to the Draft Supplemental EIS/EIR, adopted findings relating to significant impacts associated with the Project and certified the completion of the Final Supplemental EIR in compliance with CEQA and the State CEQA Guidelines; and

WHEREAS, On August 19, 2008, by Resolution No. 08-150, the San Francisco Municipal Transportation Agency Board of Directors approved the Project; and

WHEREAS, On August 20, 2008, John Elberling, President/CEO of Tenants and Owners Development Corporation, filed an appeal of the Final Supplemental EIR with the Clerk of the Board of Supervisors; and

WHEREAS, On August 27, 2008, Gerald Cauthen and Howard Wong filed an appeal of the Final Supplemental EIR with the Clerk of the Board of Supervisors; and

WHEREAS, On August 27, 2008, James W. Andrew, of Ellman, Burke, Hoffman & Johnson, on behalf of the owners of 800 Market Street, filed an appeal of the Final Supplemental EIR with the Clerk of the Board of Supervisors; and

WHEREAS, The Board of Supervisors held a public hearing on September 16, 2008, to review the decision by the Planning Commission to certify the Final Supplemental EIR; and

WHEREAS, The Final Supplemental EIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Planning Commission and the public; these files are available for public review by appointment at the Planning Department offices at 1650 Mission Street, and are part of the record before the Board of Supervisors; and

WHEREAS, This Board has reviewed and considered the Final Supplemental EIR and heard testimony and received public comment regarding the adequacy of the Final Supplemental EIR; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning Commission in its Motion No. M-17668 to certify the Final Supplemental EIR and finds the Final Supplemental EIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.

City and County of San Francisco
Tails
Motion

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File Number: 081138 **Date Passed:** September 16, 2008

Motion affirming the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the Central Subway Project.

September 16, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

File No. 081138

I hereby certify that the foregoing Motion was APPROVED on September 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081048 MOTION NO. M08-146

[Reappointment, Board of Appeals – Frank Fung]

Motion approving the Mayor's reappointment of Frank Fung to the Board of Appeals, for the term ending July 1, 2012.

WHEREAS, Pursuant to Charter Section 4.106, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of Frank Fung to the Board of Appeals, received by the Clerk of the Board on July 25, 2008; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Frank Fung to the Board of Appeals, for the term ending July 1, 2012.

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Motion

File Number: 081048 **Date Passed:** September 23, 2008

Motion approving the Mayor's reappointment of Frank Fung to the Board of Appeals, for the term ending July 1, 2012.

September 23, 2008 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - McGoldrick

File No. 081048

I hereby certify that the foregoing Motion was APPROVED on September 23, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081050 MOTION NO. M08-147

[Reappointment, Board of Appeals – Tanya Peterson]

Motion approving the Mayor's reappointment of Tanya Peterson to the Board of Appeals, for the term ending July 1, 2012.

WHEREAS, Pursuant to Charter Section 4.106, the Mayor has submitted a communication notifying the Board of Supervisors of the nomination of Tanya Peterson to the Board of Appeals, received by the Clerk of the Board on July 25, 2008; and

WHEREAS, The Board of Supervisors, by Motion 02-80 established a process to review the Mayor's nomination to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's reappointment of Tanya Peterson to the Board of Appeals, for the term ending July 1, 2012.

Clerk of the Board of Supervisors
BOARD OF SUPERVISORS

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Tails

Motion

File Number: 081050 **Date Passed:** September 23, 2008

Motion approving the Mayor's reappointment of Tanya Peterson to the Board of Appeals, for the term ending July 1, 2012.

September 23, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

File No. 081050

I hereby certify that the foregoing Motion was APPROVED on September 23, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

[Affirm certification of the Eastern Neighborhoods Rezoning and Area Plans FEIR.]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project.

WHEREAS, Planning Department and Commission (the "Project Sponsor") is proposing to adopt the Eastern Neighborhoods Rezoning and Area Plans, including General Plan Amendments, Rezoning, and Zoning Map Amendments (the "Project"); and

WHEREAS, the Project Sponsor initiated the legislation and other actions related to this Project on April 17, 2008 (City Planning File Nos. 2004.0160M, 2004.0160T, 2004.0160Z, 2004.0160U, and 2004.0160UU); and

WHEREAS, The Planning Department for the City and County of San Francisco (the "Department") determined that an Environmental Impact Report ("EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on March 9, 2005; and

WHEREAS, On June 30, 2007, the Department published the Draft Environmental Impact Report ("DEIR") for the Project; and

WHEREAS, On August 9, 2007, the Commission held a duly noticed public hearing on the DEIR, at which time opportunity for public comment was received on the DEIR, and written comments were received through September 14, 2007; and

WHEREAS, The Department prepared responses to comments received at the public hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text of the DEIR and published a Draft Summary of Comments and Responses on May 29, 2008.

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The Department, on August 6, 2007 also submitted a memo to the Planning Commission addressing additional modifications to the Project; and

WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available and the Draft Summary of Comments and Responses, all as required by law; and

WHEREAS, On August 7, 2008, the Commission reviewed and considered the FEIR and, by Motion No. 17659, found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 17659, the Commission found the FEIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Department and the Commission and that the Summary of Comments and Responses contained no significant revisions to the DEIR, adopted findings relating to significant impacts associated with the Project and certified the completion of the FEIR in compliance with CEQA and the State CEQA Guidelines; and

WHEREAS, On August 7, 2008, by Motion No. 17661, and Resolution Nos. 17662, 17663, and 17664, the Commission approved the Project and recommended it to the Board of Supervisors; and

WHEREAS, On August 8, 2008, Chris Durazo, on behalf of the South of Market Community Action Network (SOMCAN) filed an appeal of the FEIR with the Clerk of the Board of Supervisors; and

WHEREAS, On August 27, 2008, Gary Noguera, on behalf of the Coalition for San Francisco Neighborhoods (CSFN) filed another appeal of the FEIR with the Clerk of the Board of Supervisors; and

WHEREAS, The Board of Supervisors consolidated these appeals and held a public hearing on September 9, 2008 to review the decision by the Planning Commission to certify the FEIR; and

WHEREAS, the FEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Planning Commission and the public; these files are available for public review by appointment at the Planning Department offices at 1660 Mission Street, and are part of the record before the Board of Supervisors; and

WHEREAS, this Board has reviewed and considered the FEIR and heard testimony and received public comment regarding the adequacy of the FEIR; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning Commission in its Motion No. 17659 to certify the FEIR and finds the FEIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.

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Tails
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Motion

File Number: 081134 **Date Passed:** September 23, 2008

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Eastern Neighborhoods Rezoning and Area Plans Project.

September 9, 2008 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

September 23, 2008 Board of Supervisors — APPROVED

Ayes: 7 - Alioto-Pier, Ammiano, Chu, Elsbernd, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 2 - Daly, Dufty
Excused: 1 - McGoldrick

File No. 081134

I hereby certify that the foregoing Motion was APPROVED on September 23, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080781 MOTION NO. M08-149

[Final Map 5025 – 580 Washington Street]

Motion approving Final Map 5025, a 9 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 580 Washington Street being a subdivision of Lot 029 in Assessors Block No. 0196 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5025", comprising 2 sheets, approved September 3, 2008, by Department of Public Works Order No. 177, 782 is hereby approved and said map is adopted as an Official Final Map 5025; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated June 30, 2008, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

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San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 080781 **Date Passed:** October 7, 2008

Motion approving Final Map 5025, a 9 Residential Unit and 3 Commercial Unit Mixed-Use Condominium Project, located at 580 Washington Street being a subdivision of Lot 029 in Assessors Block No. 0196 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

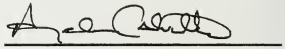
—

October 7, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

File No. 080781

I hereby certify that the foregoing Motion was APPROVED on October 7, 2008 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

FILE NO. 081174 MOTION NO. M08-150

[Preparation of findings related to the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project.]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 800-808 Lyon Street/1980-1988 Golden Gate Avenue is exempt from environmental review under the California Environmental Quality Act.

WHEREAS, On September 2, 2008, the Planning Department issued a memorandum stating that it had determined (the "determination") that the project located at 800-808 Lyon Street/1980-1988 Golden Gate Avenue (the "Project") was categorically exempt from environmental review under the California Environmental Quality Act ("CEQA"). A copy of said document is on file with the Clerk of the Board of Supervisors in File No. 081171, and is incorporated by reference herein; and,

WHEREAS, On September 3, 2008, Raquel Fox, on behalf of the Tenderloin Housing Clinic, Inc. ("Appellant") filed an appeal dated September 3, 2008, with the Clerk of the Board of Supervisors of the determination by the Planning Department; and,

WHEREAS, On October 7, 2008, this Board held a duly noticed public hearing to consider the appeal of the determination. Following the conclusion of the public hearing, the Board rendered a decision on the use of the exemption/exclusion for the project based on the written record before the Board in File No. 081171 which is hereby declared to be a part of this motion as if set forth fully herein, as well as all of the testimony at the public hearing in support of and opposed to the appeal; and,

WHEREAS, In regard to said decision, this Board made certain findings specifying the basis for its decision; now, therefore, be it

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Moved, That this Board of Supervisors directs the Clerk of the Board to prepare the findings specifying the basis for its decision on the use of the exemption/exclusion for the Project.

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Tails
Motion

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File Number: 081174 **Date Passed:** October 7, 2008

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 800-808 Lyon Street/1980-1988 Golden Gate Avenue is exempt from environmental review under the California Environmental Quality Act.

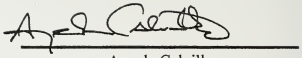
—

October 7, 2008 Board of Supervisors — APPROVED

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin
Noes: 3 - Daly, Mirkarimi, Sandoval
Absent: 1 - Ammiano
Excused: 1 - McGoldrick

File No. 081174

I hereby certify that the foregoing Motion was APPROVED on October 7, 2008 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

FILE NO. 081172 MOTION NO. M08-151

[Affirming the categorical exemption issued for the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project.]

Motion affirming the determination by the Planning Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

WHEREAS, On September 2, 2008, the Planning Department issued a memorandum stating that it had determined (the "determination") that the project located at 800-808 Lyon Street/1980-1988 Golden Gate Avenue (the "Project") was categorically exempt from environmental review under the California Environmental Quality Act ("CEQA"). A copy of said document is on file with the Clerk of the Board of Supervisors in File No. 081171, and is incorporated by reference herein; and,

WHEREAS, On September 3, 2008, Raquel Fox, on behalf of the Tenderloin Housing Clinic, Inc. ("Appellant") filed an appeal dated September 3, 2008, with the Clerk of the Board of Supervisors of the determination by the Planning Department; and,

WHEREAS, On October 7, 2008, this Board held a duly noticed public hearing to consider the appeal of the determination; and,

WHEREAS, This Board has reviewed and considered the determination, the appeal letter, the responses to concerns document that the Planning Department prepared, and public testimony; and,

WHEREAS, The determination files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for public review by appointment at the Planning Department offices at 1660 Mission Street, and are part of the record before this Board by reference herein; now, therefore, be it

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Moved, That this Board of Supervisors affirms the determination by the Planning Department that the Project is exempt/excluded from environmental review.

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Motion

File Number: 081172 **Date Passed:** October 7, 2008

Motion affirming the determination by the Planning Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

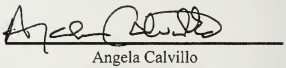
—

October 7, 2008 Board of Supervisors — APPROVED

Ayes: 6 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin
Noes: 3 - Daly, Mirkarimi, Sandoval
Absent: 1 - Ammiano
Excused: 1 - McGoldrick

File No. 081172

I hereby certify that the foregoing Motion was APPROVED on October 7, 2008 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

FILE NO. 081162 MOTION NO. M08-152

[Appointment – Veterans Affairs Commission]

Motion appointing Wallace Levin, term ending January 31, 2012, to the Veterans Affairs Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Veterans Affairs Commission, pursuant to the provisions of the San Francisco Administrative Code, Section 5.102, for the term specified:

Wallace Levin, succeeding himself, term expired, seat 3, must be an at-large appointment, for a four-year term ending January 31, 2012.

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Rules Committee

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Tails

Motion

File Number: 081162 **Date Passed:** October 7, 2008

Motion appointing Wallace Levin, term ending January 31, 2012, to the Veterans Affairs Commission.

October 7, 2008 Board of Supervisors — APPROVED

Ayes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi
Excused: 1 - McGoldrick

File No. 081162

I hereby certify that the foregoing Motion was APPROVED on October 7, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081062 MOTION NO. M08-153

[Appointment-Sunshine Ordinance Task Force]

Motion appointing Doyle Johnson, term ending April 27, 2010, to the Sunshine Ordinance Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Sunshine Ordinance Task Force, pursuant to the provisions of the San Francisco Administrative Code, Section 67.30, for the terms specified:

Doyle Johnson, succeeding David Pilpel, term expired, new designation, seat 7, must be experienced in consumer advocacy, must be member of the public who is physically handicapped and who has demonstrated interest in citizen access and participation in local government, for a two-year term ending April 27, 2010.

Rules Committee

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Motion

File Number: 081062 **Date Passed:** October 7, 2008

Motion appointing Doyle Johnson, term ending April 27, 2010, to the Sunshine Ordinance Task Force.

October 7, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

File No. 081062

I hereby certify that the foregoing Motion was APPROVED on October 7, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 080848 MOTION NO. M08-154

[Appointment – Community Oversight Committee Regarding Enforcement of Marijuana Offenses]

Motion appointing Mesha Monge-Irizarry, term ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Community Oversight Committee Regarding Enforcement of Marijuana Offenses, pursuant to the provisions of the San Francisco Administrative Code, Section 12X.6, for the term specified:

Mesha Monge-Irizarry, succeeding Camilla Field, seat 6, resigned, must be a representative of a drug policy reform organization, for the unexpired portion of a two-year term ending January 1, 2009.

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Motion

File Number: 080848 **Date Passed:** October 7, 2008

Motion appointing Mesha Monge-Irizarry, term ending January 1, 2009, to the Community Oversight Committee Regarding Enforcement of Marijuana Offenses.

—

October 7, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

File No. 080848

I hereby certify that the foregoing Motion was APPROVED on October 7, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081144 MOTION NO. M08-155

[Appointment – SOMA Community Stabilization Fund Community Advisory Committee]

Motion appointing Judith Baker, and Steven Sarver, terms ending April 27, 2010, to the SOMA Community Stabilization Fund Community Advisory Committee, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the SOMA Community Stabilization Fund Community Advisory Committee, pursuant to the provisions of Planning Code Section 318 and Ordinance No. 217-05, for the term specified:

Judith Baker, succeeding Kelly Wilkinson, seat 6, must provide direct services to SOMA families, for a two-year term ending April 27, 2010.

Steven Sarver, (residency requirement waived) succeeding himself, seat 7, must have small business expertise and a familiarity with the SOMA neighborhood, for a two-year term ending April 27, 2010; and, be it

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the SOMA Community Stabilization Fund Community Advisory Committee has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Steven Sarver, an incumbent, who is not a resident of San Francisco, is a person with experience that uniquely qualifies him/her to serve on the SOMA Community Stabilization Fund Community Advisory Committee.
3. The SOMA Community Stabilization Fund Community Advisory Committee has attempted to fill the position, for which Steven Sarver was nominated, with an individual who is a City resident and who has the specific experience, skills, and

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qualifications, but has been unable to do so at this time. The Rules Committee has certified that Steven Sarver is qualified to serve on the SOMA Community Stabilization Fund Community Advisory Committee.

4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the SOMA Community Stabilization Fund Community Advisory Committee at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Steven Sarver, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco
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Motion

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File Number: 081144 **Date Passed:** October 7, 2008

Motion appointing Judith Baker and Steven Sarver, terms ending April 27, 2010, to the SOMA Community Stabilization Fund Community Advisory Committee, residency requirement waived.

—

October 7, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

File No. 081144

I hereby certify that the foregoing Motion was APPROVED on October 7, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081143

MOTION NO.
M08-156

[Appointment - Western SoMa Citizens' Planning Task Force]

Motion appointing John Rosenbaum, term ending June 30, 2010, to the Western SoMa Citizens' Planning Task Force, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Western SoMa Citizens' Planning Task Force, pursuant to the provisions of Resolution No. 731-04, for the term specified:

John Rosenbaum (residency requirement waived), succeeding Catherine Ann Swineford, term expired, seat 23, must be a person representing the interests of homeless individuals, for term ending June 30, 2010; and, be it

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Western SoMa Citizens' Planning Task Force has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant John Rosenbaum, a new appointee who is not a resident of San Francisco, is a person with experience that uniquely qualifies him to serve on the Western SoMa Citizens' Planning Task Force.
3. The Western SoMa Citizens' Planning Task Force has attempted to fill the position, for which John Rosenbaum was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that John Rosenbaum is qualified to serve on the Western SoMa Citizens' Planning Task Force.
4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the

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specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the Western SoMa Citizens' Planning Task Force at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for John Rosenbaum, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 081143 **Date Passed:** October 7, 2008

Motion appointing John Rosenbaum, term ending June 30, 2010, to the Western SOMA Citizens Task Force, residency requirement waived.

—

October 7, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

File No. 081143

I hereby certify that the foregoing Motion was APPROVED on October 7, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081299 MOTION NO. M08-157

[Adopting findings related to affirming the categorical exemption issued for 800-808 Lyon Street/1980-1988 Golden Gate Avenue.]

Motion adopting findings related to affirming the determination by the Planning Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

The Planning Department determined that a proposal to remove wooden stairs located at the back of the building and add a metal fire escape to the front of the building located at 800-808 Lyon Street/1980-1988 Golden Gate Avenue (the "Project") was categorically exempt from the California Environmental Quality Act ("CEQA") on or around September 2, 2008 ("determination"). By letter to the Clerk of the Board of Supervisors dated September 3, 2008, Raquel Fox, on behalf of the Tenderloin Housing Clinic, Inc. ("Appellant") filed an appeal on September 3, 2008, with the Clerk of the Board of Supervisors of the determination by the Planning Department.

On October 7, 2008, this Board held a duly noticed public hearing to consider the appeal of the determination and following the public hearing affirmed the determination of the Planning Department that the Project is categorically exempt from CEQA.

In reviewing the appeal of the categorical exemption determination, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and opposed to the appeal. Following the conclusion of the public hearing, the Board affirmed the Planning Department's categorical exemption determination for the Project based on the written record before the Board as well as all of the testimony at the public hearing in support of and opposed to the appeal. Said Motion and written record is

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in the Clerk of the Board of Supervisors File No. 081171 and is incorporated herein as though set forth in its entirety.

In regard to said decision, this Board made certain findings specifying the basis for its decision to affirm the Planning Department's approval of the determination for the Project based on the whole record before the Board including the written record in File No. 081171, which is hereby declared to be a part of this motion as if set forth fully herein; the written submissions to and official written records of the Planning Department determination related to the Project; the official written and oral testimony at and audio and video records of the public hearing in support of and opposed to the appeal and deliberation of the oral and written testimony at the public hearing before the Board of Supervisors by all parties and the public in support of and opposed to the appeal of the categorical exemption.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the determination made by the Planning Department on September 2, 2008.

FURTHER MOVED, That the Board of Supervisors finds that based on the whole record before it there are no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the determination by the Planning Department that the proposed Project is exempt/excluded from environmental review.

FURTHER MOVED, That after carefully considering the appeal of the categorical exemption, including the written information submitted to the Board and the public testimony presented to the Board at the hearing on October 7, 2008, this Board concludes that the Project qualifies for a Class 1 categorical exemption under CEQA Guidelines Section 15301(a).

FURTHER MOVED, that the Board finds that the record as a whole supports the Planning Department's determination that the Project will not cause an adverse change in an historic resources and that none of the other special circumstances set forth in CEQA Guidelines Section 15300.2 that would require the preparation of a negative declaration or an environmental impact report for the Project under the California Environmental Quality Act are present in this case.

City and County of San Francisco
Tails
Motion

City Hall
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San Francisco, CA 94102-4689

File Number: 081299 **Date Passed:** October 21, 2008

Motion adopting findings related to affirming the determination by the Planning Department that the 800-808 Lyon Street/1980-1988 Golden Gate Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.

October 9, 2008 Board of Supervisors — REFERRED: Board of Supervisors

October 21, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081299

I hereby certify that the foregoing Motion was APPROVED on October 21, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081300 MOTION NO. M08-158

[Committee of the Whole – Hearing on the impacts of the economic crisis on San Francisco and the development of a blueprint for economic recovery.]

Motion scheduling the Board to sit as a Committee of the Whole to review the City's resources and plan to address the economic crisis, to be held on October 21, 2008.

WHEREAS, the economic crisis will inevitably lead to declining funding from federal and state sources and have serious impacts on the private financial services sector of the San Francisco economy; and,

WHEREAS, the current turmoil in our financial markets will undoubtedly impact the City's property tax, sales tax and other tax receipts forcing the City to reevaluate existing budget priorities; and

WHEREAS, the City must work in tandem with the private sector to plot a response and recovery plan that mitigates the negative impact of severe reductions in revenue sources that may result from the current market turmoil; and,

WHEREAS, coordination and communication between various City agencies is critical to crafting an effective response to the deteriorating economic situation; now, therefore, be it

MOVED, That the Board of Supervisors convene as a Committee of the Whole to review the City's response to the current economic crisis to be held at 3:30 p.m. on October 21, 2008; and, be it

FURTHER MOVED, that the Board respectfully requests representatives of the Office of Economic and Workforce Development, the Controller's Office, the Mayor's Office of Public Finance, the Board of Supervisors Budget Analyst, the Chief of the San Francisco Police Department, Director of the Mayor's Office of Criminal Justice and the Mayor's Budget Office to prepare responses to this motion that will be presented at the Committee hearing on October 21, 2008.

Supervisors Peskin, Elsbernd, Maxwell, Chu, Mirkarimi, Daly, Dufty, Sandoval, Alioto-Pier, Ammiano
BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081300 **Date Passed:**

Motion scheduling the Board to sit as a Committee of the Whole to review the City's resources and plan to address the economic crisis, to be held on October 21, 2008.

October 21, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081300

I hereby certify that the foregoing Motion was APPROVED on October 21, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081149 MOTION NO. M08-159

[Appointment - Commission on the Aging Advisory Council]

Motion appointing Catherine Rose Russo, terms ending March 31, 2010, to the Commission on the Aging Advisory Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Commission on the Aging Advisory Council, pursuant to the provisions of San Francisco Administrative Code, Section 5.54, for the term specified:

Catherine Rose Russo, succeeding herself, term expired, seat 6, must be a nominee of District 7 Supervisor, for a two-year term ending March 31, 2010.

Rules Committee

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City and County of San Francisco
Tails
Motion

City Hall
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San Francisco, CA 94102-4689

File Number: 081149 **Date Passed:** October 21, 2008

Motion appointing Catherine Rose Russo, term ending March 31, 2010, to the Commission on the Aging Advisory Council.

October 21, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081149

I hereby certify that the foregoing Motion was APPROVED on October 21, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081309 MOTION NO. M08-160

[Appointment, Taxi Commission – Arthur Tom]

Motion approving the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Arthur Tom to the Taxi Commission, received by the Clerk of the Board on October 8, 2008; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's appointment to the Taxi Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.

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City and County of San Francisco
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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 081309 **Date Passed:** October 28, 2008

Motion approving the Mayor's appointment of Arthur Tom to the Taxi Commission, for the term ending June 28, 2012.

October 28, 2008 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Ammiano

File No. 081309

I hereby certify that the foregoing Motion was APPROVED on October 28, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081352 MOTION NO. M08-161

[Waiver permitting City Employees to Assist the Department of Elections with the November 4, 2008 election.]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 4, 2008 election.

WHEREAS, San Francisco Charter section 13.104.5 prohibits City employees and officers (other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission) from performing "any function relating to the conduct of an election;" and,

WHEREAS, Charter section 13.104.5 authorizes the Board of Supervisors, upon the request of the Elections Commission, to waive this prohibition by motion; and,

WHEREAS, On October 20, 2008, the Elections Commission requested that the Board of Supervisors waive this prohibition to permit City employees to assist the Department of Elections with the November 4, 2008 election; now, therefore, be it

MOVED, the Board of Supervisors waives the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections before, during and after the November 4, 2008 election.

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City and County of San Francisco
Tails
Motion

City Hall
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San Francisco, CA 94102-4689

File Number: 081352 **Date Passed:** October 28, 2008

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 4, 2008 election.

October 28, 2008 Board of Supervisors — APPROVED

Ayes: 9 - Alioto-Pier, Chu, Daly, Dufty, Elsbernd, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Ammiano, McGoldrick

File No. 081352

I hereby certify that the foregoing Motion was APPROVED on October 28, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081312 MOTION NO. M08-162

[Final Map 4220 – 631 Folsom Street]

Motion approving Final Map 4220, a 114 Residential and 2 Commercial Unit Mixed-Use Condominium Project, located at 631 Folsom Street being a subdivision of Lot 090 in Assessors Block No. 3750 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4220", comprising 4 sheets, approved September 17, 2008, by Department of Public Works Order No. 177, 814 is hereby approved and said map is adopted as an Official Final Map 4220; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated September 21, 2007, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081312 **Date Passed:** November 4, 2008

Motion approving Final Map 4220, a 114 Residential and 2 Commercial Unit Mixed-Use Condominium Project, located at 631 Folsom Street being a subdivision of Lot 090 in Assessors Block No. 3750 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

November 4, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081312

I hereby certify that the foregoing Motion was APPROVED on November 4, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081313 MOTION NO. M08-163

[Final Map 4927 – 1360 – 1364 Stevenson Street]

Motion approving Final Map 4927, a 5 Unit Residential Condominium Project, located at 1360 – 1364 Stevenson Street being a subdivision of Lot 073 in Assessors Block No. 3513 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4927", comprising 3 sheets, approved October 15, 2008, by Department of Public Works Order No. 177, 853 is hereby approved and said map is adopted as an Official Final Map 4927; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated January 9, 2008, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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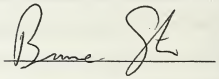
RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:



Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081313 **Date Passed:**

Motion approving Final Map 4927, a 5 Unit Residential Condominium Project, located at 1360 – 1364 Stevenson Street being a subdivision of Lot 073 in Assessors Block No. 3513 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

November 4, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

File No. 081313

I hereby certify that the foregoing Motion was APPROVED on November 4, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081314 MOTION NO. M08-164

[Final Map 4457 – 231 Franklin Street, 327 & 315 Hayes Street]

Motion approving Final Map 4457, a 32 Residential and 1 Commercial Unit Mixed-Use Condominium Project, located at 231 Franklin Street, 327 & 315 Hayes Street being a subdivision of Lots 002, 017, and 022 in Assessors Block No. 0816 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4457", comprising 2 sheets, approved October 15, 2008, by Department of Public Works Order No. 177, 858 is hereby approved and said map is adopted as an Official Final Map 4457; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated October 19, 2007, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081314 **Date Passed:** November 4, 2008

Motion approving Final Map 4457, a 32 Residential and 1 Commercial Unit Mixed-Use Condominium Project, located at 231 Franklin Street, 327 & 315 Hayes Street being a subdivision of Lots 002, 017, and 022 in Assessors Block No. 0816 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

November 4, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081314

I hereby certify that the foregoing Motion was APPROVED on November 4, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081169 **MOTION NO.** M08-165

[Appointment, Graffiti Advisory Board, Jana Lord]

Motion appointing Jana Lord, term ending April 10, 2009, to the Graffiti Advisory Board, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Graffiti Advisory Board, pursuant to the provisions of San Francisco Administrative Code Section 5.170, for the terms specified:

Jana Lord, succeeding Alexander Mamak, resigned, seat 17, must represent contracting agency for Municipal Railway shelters, for unexpired portion of a two-year term ending April 10, 2009 (residency requirement waived); and, be it

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Graffiti Advisory Board has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Jana Lord, new appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the Graffiti Advisory Board.
3. The Graffiti Advisory Board has attempted to fill this position, for which this applicant was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that the applicant is qualified to serve on the Graffiti Advisory Board.
4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the Graffiti Advisory Board at this time; and, be it

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FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Jana Lord, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081169 **Date Passed:** November 4, 2008

Motion appointing Jana Lord, term ending April 10, 2009, to the Graffiti Advisory Board, residency requirement waived.

November 4, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081169

I hereby certify that the foregoing Motion was APPROVED on November 4, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081274 MOTION NO. M08-166

[Appointment – Peak Oil Preparedness Task Force, Benjamin Lowe]

Motion appointing Benjamin Lowe, term ending March 27, 2009, to the Peak Oil Preparedness Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Peak Oil Preparedness Task Force, pursuant to the provisions of Resolution 268-07, for the terms specified:

Benjamin Lowe, succeeding Jan Lundberg, seat 4, resigned, must represent the public at large, for the unexpired portion of a two-year term ending March 27, 2009.

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City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081274 **Date Passed:** November 4, 2008

Motion appointing Benjamin Lowe, term ending March 27, 2009, to the Peak Oil Preparedness Task Force.

November 4, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081274

I hereby certify that the foregoing Motion was APPROVED on November 4, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081257 MOTION NO. M08-167

[Confirming the re-appointment of Francee Covington to the San Francisco Redevelopment Agency.]

Motion confirming the re-appointment of Francee Covington to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2012

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointment by the Mayor of the following designated person as a member of the San Francisco Redevelopment Agency, pursuant to Section 33110 of the California Health and Safety Code, for the term specified:

Francee Covington to serve a four-year term ending on September 3, 2012.

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Mayor Newsom
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081257 **Date Passed:** November 4, 2008

Motion confirming the re-appointment of Francee Covington to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2012.

November 4, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081257

I hereby certify that the foregoing Motion was APPROVED on November 4, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081406 MOTION NO. M08-168

[2009 Board of Supervisors Regular Meeting Schedule]

Motion revising the 2009 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 20, February 17, May 26, September 8, September 29, October 13, and December 1; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 19 through September 8, 2009 and December 16 though December 31, 2009.

WHEREAS, The Board of Supervisors (Board) Rules of Order Section 6.2 states the Board shall hold a regular meeting in the Chamber in City Hall each week at 2:00 pm on Tuesday, unless it is a holiday, in which case the meeting shall be canceled; and

WHEREAS, The Rules of Order Section 6.2, also states the Board shall not meet during the week after Thanksgiving, nor between December 24 and December 31, inclusive, and the Board does not traditionally meet the week of December 24; and

WHEREAS, Similar to other sitting legislative bodies in the United States, the Board has established recess periods during the summer and winter which members of the Board may plan to be away, without missing any Board or Committee meetings or other important public business, and without causing difficulties in achieving a quorum; now, therefore, be it

RESOLVED, Pursuant to Section 6.2 of the Rules of Order, the 2009 regular meetings to be canceled are: January 20, (Martin Luther King Jr. day); February 17, (Presidents day); May 26, (Memorial day); September 8, (Labor day); September 29, (Yom Kippur); October 13, (Columbus day); December 1, (Week after Thanksgiving); and, be it

FURTHER RESOLVED, That pursuant to the established tradition of summer and winter recess periods, the Board and Committee meetings scheduled from August 19 through September 8, 2009, and December 16 though December 31, 2009 are canceled.

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City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 081406 **Date Passed:** November 18, 2008

Motion revising the 2009 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 20, February 17, May 26, September 8, September 29, October 13, and December 1; and by further canceling all Board and Committee meetings during the summer and winter breaks from August 19 through September 8, 2009 and December 16 though December 31, 2009.

November 18, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

File No. 081406

I hereby certify that the foregoing Motion was APPROVED on November 18, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081413 MOTION NO. M08-169

[Taking File #081015 from the Table.]

Motion pursuant to Board of Supervisors Rule 4.31 to remove File #081015 from the table for consideration at the next Board meeting, on Tuesday November 25th.

WHEREAS, File #081015 was tabled by the Board of Supervisors during the meeting of Tuesday, Nov. 4th, 2008; and,

WHEREAS, Board Rule 4.31 allows tabled items to be taken from the table at the subsequent Board of Supervisors meeting by motion; now, therefore, be it

MOVED, Pursuant to Board Rule 4.31, the Board takes File #081015 from the table to be considered at the next Board of Supervisors meeting on Tuesday, November 25th, 2008.

SUPERVISOR PESKIN , Supervisor Maxwell
BOARD OF SUPERVISORS

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Motion

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File Number: 081413 **Date Passed:**

Motion pursuant to Board of Supervisors Rule 4.31 to remove File #081015 from the table for consideration at the next Board meeting, on Tuesday November 25th.

November 18, 2008 Board of Supervisors — APPROVED

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Chu, Daly, Elsbernd

File No. 081413

I hereby certify that the foregoing Motion was APPROVED on November 18, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081366 MOTION NO. M08-170

[Affirm certification of 690 Stanyan Street Project FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 690 Stanyan Street Project.

WHEREAS, 690 Stanyan Street, LLC, (the "Project Sponsor") is proposing to demolish an existing vacant former Cala Foods store, remove an existing 42-space parking lot and construct a mixed-use building with 34,000 square feet of ground-floor retail space and 62 residential units (the "Project"); and

WHEREAS, the Project Sponsor applied for environmental review on April 20, 2006 (City Planning File No. 2006.0460E); and

WHEREAS, The Planning Department for the City and County of San Francisco (the "Department") determined that an Environmental Impact Report ("EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on July 7, 2007; and

WHEREAS, On January 19, 2008, the Department published the Draft Environmental Impact Report ("DEIR") for the Project; and

WHEREAS, On February 28, 2008, the Commission held a duly noticed public hearing on the DEIR, at which time opportunity for public comment was received on the DEIR, and written comments were received through March 10, 2008; and

WHEREAS, The Department prepared responses to comments received at the public hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text of the DEIR and published a Draft Summary of Comments and Responses on October 1, 2008; and

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WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available and the Draft Summary of Comments and Responses, all as required by law; and

WHEREAS, On October 23, 2008, the Commission reviewed and considered the FEIR and, by Motion No. 17732, found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 17732, the Commission found the FEIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Department and the Commission and that the Summary of Comments and Responses contained no significant revisions to the DEIR, adopted findings relating to significant impacts associated with the Project and certified the completion of the FEIR in compliance with CEQA and the State CEQA Guidelines; and

WHEREAS, On October 23, 2006, by Motion No. 17733, the Commission approved a conditional use permit for the Project; and

WHEREAS, On October 24, 2008, Regan Caponi filed an appeal of the FEIR with the Clerk of the Board of Supervisors; and

WHEREAS, The Board of Supervisors held a public hearing on November 18, 2008 to review the decision by the Planning Commission to certify the FEIR; and

WHEREAS, the FEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Planning Commission and the public; these files are available for public review by appointment at the Planning Department offices at 1660 Mission Street, and are part of the record before the Board of Supervisors; and

WHEREAS, this Board has reviewed and considered the FEIR and heard testimony and received public comment regarding the adequacy of the FEIR; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning Commission in its Motion No. 17732 to certify the FEIR and finds the FEIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081366 **Date Passed:** November 18, 2008

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 690 Stanyan Street Project.

November 18, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081366

I hereby certify that the foregoing Motion was APPROVED on November 18, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081156 MOTION NO. M08-171

[Appointment – Immigrant Rights Commission]

Motion appointing Vera Haile and Gilberto Alexander, terms ending June 6, 2010 and Rael Silva, term ending June 6, 2009 to the Immigrant Rights Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Immigrant Rights Commission, pursuant to the provisions of Ordinance No. 211-97, for the term specified:

Vera Haile, succeeding herself, seat 1, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for two-year term ending June 6, 2010.

Gilberto Alexander, succeeding himself, seat 2, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for two-year term ending June 6, 2010.

Rael Silva, succeeding Felix Levy, seat 6, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for unexpired portion of a two-year term ending June 6, 2009.

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File Number: 081156 **Date Passed:** November 25, 2008

Motion appointing Vera Haile and Gilberto Alexander, terms ending June 6, 2010 and Rael Silva, term ending June 6, 2009, to the Immigrant Rights Commission.

November 25, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081156

I hereby certify that the foregoing Motion was APPROVED on November 25, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081157 MOTION NO. M08-172

[Appointment – Childrens Collaborative Task Force]

Motion appointing Adina Safer, Natasha Hoehn, Rebecca Kroll, Steven E. Mitchel, Laurie Poston, Judy McKie, Cammy Blackstone and Matt Middlebrook, terms to be determined at first meeting, to the Childrens Collaborative Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Childrens Collaborative Task Force, pursuant to Resolution 358-07.

Adina Safer, new designation, seat 4, must be the parent of a child currently enrolled in or attending a public school in San Francisco, for two-year term to be determined at first meeting.

Natasha Hoehn, new designation, seat 7, must be an at-large representative of public schools in San Francisco, for two-year term to be determined at first meeting.

Rebecca Kroll, new designation, seat 9, must be a teacher and/or an education professional currently employed by a private school in San Francisco, for two-year term to be determined at first meeting.

Steven E. Mitchel, new designation, seat 12, must be the parent of a child currently enrolled in or attending a private school in San Francisco, for two-year term to be determined at first meeting.

Laurie Poston, new designation, seat 13, must be the parent of a child currently enrolled in or attending a private school in San Francisco, for two-year term to be determined at first meeting.

Judy McKie, new designation, seat 14, must be the parent of a child currently enrolled in or attending a private school in San Francisco, for two-year term to be determined at first meeting.

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Cammy Blackstone, new designation, seat 18, must be the parent of a child currently enrolled in or attending a parochial school in San Francisco, for two-year term to be determined at first meeting.

Matt Middlebrook, new designation, seat 19, must be the parent of a child currently enrolled in or attending a parochial school in San Francisco, for two-year term to be determined at first meeting.

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Motion

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File Number: 081157 **Date Passed:** November 25, 2008

Motion appointing Adina Safer, Natasha Hoehn, Rebecca Kroll, Steven E. Mitchel, Laurie Poston, Judy McKie, Cammy Blackstone and Matt Middlebrook, terms to be determined at first meeting, to the Children's Collaborative Task Force.

November 25, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081157

I hereby certify that the foregoing Motion was APPROVED on November 25, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081307 MOTION NO. M08-173

[Appointment – SOMA Community Stabilization Fund Community Advisory Committee]

Motion appointing Ian Kim and Conny Ford, terms ending April 27, 2010, to the SOMA Community Stabilization Fund Community Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the SOMA Community Stabilization Fund Community Advisory Committee, pursuant to the provisions of Planning Code Section 318 and Ordinance No. 217-05, for the term specified:

Ian Kim, succeeding Rudy Corpus, seat 1, term expired, must be representative for low-income families who lives with his or her family in SOMA, for two-year term ending April 27, 2010.

Conny Ford, succeeding herself, seat 2, term expired, must have expertise in employment development and/or represents labor, for two-year term ending April 27, 2010.

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Motion

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File Number: 081307 **Date Passed:** November 25, 2008

Motion appointing Ian Kim and Conny Ford, terms ending April 27, 2010, to the SOMA Community Stablization Fund Community Advisory Committee.

November 25, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081307

I hereby certify that the foregoing Motion was APPROVED on November 25, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081319 MOTION NO. M08-174

[Appointment - Commission on the Aging Advisory Council – Gracia Wiarda]

Motion appointing Gracia Wiarda, terms ending March 31, 2010, to the Commission on the Aging Advisory Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Commission on the Aging Advisory Council, pursuant to the provisions of San Francisco Administrative Code, Section 5.54, for the term specified:

Gracia Wiarda, succeeding Carlos Serrano-Quan, seat 5, term expired, must be a nominee of District 4 Supervisor, term ending March 31, 2010.

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Motion

File Number: 081319 **Date Passed:** November 25, 2008

Motion appointing Gracia Wiarda, term ending March 31, 2010, to the Commission on the Aging Advisory Council.

November 25, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081319

I hereby certify that the foregoing Motion was APPROVED on November 25, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Divided at Board
11/25/08

FILE NO. 081364 MOTION NO. M08-175

[Appointment - Urban Forestry Council]

Motion appointing Maria D'Agostino, Naomi LeBeau and Bonnie Ora Sherk, terms ending November 18, 2010, to the Urban Forestry Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Urban Forestry Council, pursuant to the provisions of the San Francisco Administrative Code, Chapter 5, Article XXIII, for the term specified:

Maria D'Agostino, new assignment, seat 2, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects), for two-year term ending November 18, 2010.

Naomi LeBeau, new assignment, seat 4, must be member of non-profit organization involved in urban forestry or other environmentally-related issues, for two-year term ending November 18, 2010.

Bonnie Ora Sherk, new assignment, seat 5, must be member of non-profit organization involved in urban forestry or other environmentally-related issues, for two-year term ending November 18, 2010.

Rules Committee
BOARD OF SUPERVISORS

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Motion

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File Number: 081364 **Date Passed:** November 25, 2008

Motion appointing Maria D'Agostino, Naomi LeBeau,and Bonnie Ora Sherk, terms ending November 18, 2010, to the Urban Forestry Council.

November 25, 2008 Board of Supervisors — DIVIDED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

November 25, 2008 Board of Supervisors — APPROVED AS DIVIDED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081364

I hereby certify that the foregoing Motion was APPROVED AS DIVIDED on November 25, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081497 MOTION NO. M08-176

[Appointment - Urban Forestry Council]

Motion appointing Carolyn Blair, term ending November 18, 2010, to the Urban Forestry Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Urban Forestry Council, pursuant to the provisions of the San Francisco Administrative Code, Chapter 5, Article XXIII, for the term specified:

Carolyn Blair, new assignment, seat 6, must be member from the community, for two-year term ending November 18, 2010.

Rules Committee
BOARD OF SUPERVISORS

GOVERNMENT
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Motion

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File Number: 081497 **Date Passed:** November 25, 2008

Motion appointing Carolyn Blair terms ending November 18, 2010, to the Urban Forestry Council.

November 25, 2008 Board of Supervisors — APPROVED

Ayes: 6 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 5 - Alioto-Pier, Chu, Dufty, Elsbernd, McGoldrick

File No. 081497

I hereby certify that the foregoing Motion was APPROVED on November 25, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081258 MOTION NO. M08-177

[Confirming the re-appointment of Rick Swig to the San Francisco Redevelopment Agency.]

Motion confirming the re-appointment of Rick Swig to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2012

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointment by the Mayor of the following designated person as a member of the San Francisco Redevelopment Agency, pursuant to Section 33110 of the California Health and Safety Code, for the term specified:

Rick Swig to serve a four-year term ending on September 3, 2012.

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Mayor Newsom
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 081258 **Date Passed:** November 25, 2008

Motion confirming the re-appointment of Rick Swig to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2012.

November 25, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081258

I hereby certify that the foregoing Motion was APPROVED on November 25, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081277 **MOTION NO.** M08-178

[Final Map 4304: 420 – 428 Vallejo Street]

Motion approving Final Map 4304, a 5 Unit Residential Condominium Project, located at 420 – 428 Vallejo Street being a subdivision of Lot 013 in Assessors Block No. 0133 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 4304", comprising 3 sheets, approved November 19, 2008, by Department of Public Works Order No. 177, 926 is hereby approved and said map is adopted as an Official Final Map 4304; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated August 29, 2007, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081277 **Date Passed:** December 9, 2008

Motion approving Final Map 4304, a 5 Unit Residential Condominium Project, located at 420 – 428 Vallejo Street being a subdivision of Lot 013 in Assessors Block No. 0133 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

File No. 081277

I hereby certify that the foregoing Resolution was ADOPTED on December 9, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

As Amended in Board
12/9/08

FILE NO. 081308 MOTION NO. M08-179

[Confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors.]

Motion confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors to serve for an unexpired portion of a four-year term ending ~~September 11, 2010~~ April 28, 2010.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby confirm the appointment by the Mayor of the following designated person as a member of the Treasure Island Development Authority Board of Directors, pursuant to the San Francisco Charter, for the term specified:

Helen Nigg, succeeding Claudine Cheng, seat 5, to serve for an unexpired portion of a four-year term ending ~~September 11, 2010~~ April 28, 2010.

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Mayor
BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Motion

File Number: 081308 **Date Passed:** December 9, 2008

Motion confirming the appointment of Helen Nigg to the Treasure Island Development Authority Board of Directors for a four-year term ending April 28, 2010.

December 9, 2008 Board of Supervisors — AMENDED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

December 9, 2008 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081308

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on December 9, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081424 MOTION NO. M08-180

[Appointment, Public Utilities Commission – Juliet Ellis]

Motion confirming the Mayor's appointment of Juliet Ellis to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010.

WHEREAS, Pursuant to Charter Section 4.112, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Juliet Ellis to the Public Utilities Commission, received by the Clerk of the Board on November 14, 2008; now, therefore, be it

MOVED, That the Board of Supervisors hereby confirms the Mayor's appointment of Juliet Ellis to the Public Utilities Commission, Seat 2, must be a member with experience in ratepayer or consumer advocacy, for a two-year term ending August 1, 2010.

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City and County of San Francisco
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Motion

City Hall
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File Number: 081424 **Date Passed:** December 9, 2008

Motion confirming the Mayor's appointment of Juliet Ellis to the Public Utilities Commission, Seat 2, for the term ending August 1, 2010.

December 9, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081424

I hereby certify that the foregoing Motion was APPROVED on December 9, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081464 MOTION NO. M08-181

[Minor Sidewalk Encroachment Permit Appeal – 1335 Stanyan Street]

Motion disapproving the decision of the Department of Public Works' denial of an encroachment permit for 1335 Stanyan Street and granting an encroachment permit.

MOVED, That pursuant to applicable provisions of Section 723.2 of the Public Works Code, the decision of the Department of Public Works dated November 14, 2008, denying a Minor Sidewalk Encroachment Permit No. 07MSE-0012 to Pennie Sempell, to construct and maintain an "L" shape partition fence encroaching 12" into the unimproved right-of-way of Stanyan Street to hide garbage and recycling cans from view on Clarendon Avenue, be and the same is hereby disapproved; and,

be it

FURTHER MOVED, That the encroachment permit is hereby granted.

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BOARD OF SUPERVISORS

City and County of San Francisco
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Motion

City Hall
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File Number: 081464 **Date Passed:** December 9, 2008

Motion disapproving the decision of the Department of Public Works' denial of an encroachment permit for 1335 Stanyan Street and granting an encroachment permit.

December 9, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081464

I hereby certify that the foregoing Motion was APPROVED on December 9, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081431 MOTION NO. M08-182

[Appointment - Urban Forestry Council]

Motion appointing John Malcolm Hillan and Jocelyn Cohen, terms ending November 18, 2010, to the Urban Forestry Council.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Urban Forestry Council, pursuant to the provisions of the San Francisco Administrative Code, Chapter 5, Article XXIII, for the terms specified:

John Malcolm Hillan, new assignment, seat 1, must be representative from an educational organization involved with tree management (University of California Cooperative Extension, etc.), for a two-year term ending November 18, 2010.

Jocelyn Cohen, new assignment, seat 3, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects), for a two-year term ending November 18, 2010.

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Rules Committee
BOARD OF SUPERVISORS

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Motion

City Hall
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File Number: 081431 **Date Passed:** December 16, 2008

Motion appointing John Malcolm Hillan and Jocelyn Cohen, terms ending November 18, 2010, to the Urban Forestry Council.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081431

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081427 MOTION NO. M08-183

[Appointment – Ballot Simplification Committee]

Motion appointing June Fraps, Betty Packard and Adele Fasick, terms ending November 30, 2010, to the Ballot Simplification Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as a members of the Ballot Simplification Committee, pursuant to the provisions of the San Francisco Election Code, Section 600, for the terms specified:

June Fraps, succeeding herself, seat 1, term expired, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for a two-year term ending November 30, 2010;

Betty Packard, succeeding herself, seat 2, term expired, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for a two-year term ending November 30, 2010;

Adele Fasick, succeeding herself, seat 3, must represent the League of Women Voters of San Francisco, for a two-year term ending November 30, 2010.

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Rules Committee

City and County of San Francisco
Tails
Motion

City Hall
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San Francisco, CA 94102-4689

File Number: 081427 **Date Passed:** December 16, 2008

Motion appointing June Fraps, Betty Packard and Adele Fasick, terms ending November 30, 2010, to the Ballot Simpilification Committee.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081427

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081112 MOTION NO. M08-184

[Appointment – Biodiesel Access Task Force]

Motion appointing Shannon Devine, term ending December 31, 2009, to the Biodiesel Access Task Force.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as member of the Biodiesel Access Task Force, pursuant to the provisions of Resolution No. 82-06, for the term specified:

Shannon Devine, succeeding Adam Hagen, resigned, seat 1, must be member of the public who represents the biodiesel community, such as a gas station owner, fleet operator and consumer. Community members may include organizations. No organization may have more than one representative on the Task Force, for unexpired portion of term ending December 31, 2009.

Rules Committee

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City and County of San Francisco
Tails
Motion

City Hall
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File Number: 081112 **Date Passed:** December 16, 2008

Motion appointing Shannon Devine, term ending December 31, 2009, to the Biodiesel Access Task Force.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081112

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081573 MOTION NO. M08-185

[Motion Approving a Application Form for Boards, Commissions and Committees and Specifying a Supplemental Form for Applicants to Reentry Council Seats designated for Former Inmates.]

Motion approving use of designated application form for applicants to Boards, Commissions and Committees and specifying a supplemental application for those seeking the former inmates seats on Reentry Council to ascertain experiential qualifications and avoid unfair stigmatization of the formerly incarcerated applicants.

WHEREAS, The City and County has established a Reentry Council, per San Francisco Administrative Code Sections 5.1-1 through 5.1-6; and,

WHEREAS, Seven members of the Reentry Council shall be former inmates in the San Francisco County Jail, a California Department of Corrections and Rehabilitation facility, and/or a United States Bureau of Prison facility; and

WHEREAS, The Board of Supervisors shall appoint 4 of these seven members; and

WHEREAS, The requirement that these seven members be former inmates requires applicants to these seats disclose that they had been inmates; and,

WHEREAS, The standard application for Board of Supervisors' appointment to boards, commissions and committees requires a description of any prior felony convictions; and

WHEREAS, A description of any prior felony convictions is not germane to the former inmate applicants' eligibility or qualifications to serve as members of the Reentry Council; and

WHEREAS, The use of the standard application for Board of Supervisors' appointment to boards, commissions and committees would unnecessarily contribute to the stigmatization of and discrimination against formerly incarcerated people; and ,

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WHEREAS, The standard application is inadequate to efficiently ascertain the varied experiential qualifications required of the individuals applying for the seats reserved for formerly incarcerated persons; now, therefore, be it

MOVED, That Board of Supervisors hereby approves the application attached hereto as Exhibit A and incorporated by this reference for use by individuals seeking appointment to Boards, Commissions and Committees; and, be it

FURTHER MOVED, That applicants for the seats on the Reentry Council designated to be occupied by former inmates shall submit a supplemental application in a form substantially similar to the form attached hereto as Exhibit B; and, be it

FURTHER MOVED, That the Clerk of the Board of Supervisors shall have the discretion to make such modifications to the forms as may be required for administrative convenience or clerical efficiency.

City and County of San Francisco
Tails
Motion

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File Number: 081573 **Date Passed:** December 16, 2008

Motion approving use of designated application form for applicants to Boards, Commissions and Committees and specifying a supplemental application for those seeking the former inmates seats on Reentry Council to ascertain experiential qualifications and avoid unfair stigmatization of the formerly incarcerated applicants.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081573

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081391 MOTION NO. M08-186

[Final Map 5210 – Hudson Avenue (No Situs)]

Motion approving Final Map 5210, a 7 Lot Subdivision Project, located at Hudson Avenue (No Situs) being a subdivision of Lot 203 in Assessors Block No. 4711 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

MOVED, That the certain map entitled "FINAL MAP 5210", comprising 2 sheets, approved December 10, 2008, by Department of Public Works Order No. 177,959 is hereby approved and said map is adopted as an Official Final Map 5210; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated August 13, 2008, that the proposed subdivision is consistent with the objectives and policies of the General Plan and the Eight Priority Policies of Section 101.1 of the Planning Code; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the approval made by the San Francisco Redevelopment Agency by its letter dated July 28, 2008; and be it

FURTHER MOVED, That the San Francisco Board of Supervisors hereby authorizes the Director of the Department of Public Works to enter all necessary recording information on the Final Map and authorizes the Clerk of the Board of Supervisors to execute the Clerk's Statement as set forth herein; and be it

FURTHER MOVED, That approval of this map is also conditioned upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

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RECOMMENDED:

Edward D. Reiskin

Director of Public Works

DESCRIPTION APPROVED:

Bruce R. Storrs, PLS

City and County Surveyor

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 081391 **Date Passed:** December 16, 2008

Motion approving Final Map 5210, a 7 Lot Subdivision Project, located at Hudson Avenue (No Situs) being a subdivision of Lot 203 in Assessors Block No. 4711 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081391

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081533 MOTION NO. M08-187

[Preparation of findings related to the 2626 Filbert Street project.]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2626 Filbert Street is exempt from environmental review under the California Environmental Quality Act.

WHEREAS, On August 26, 2008, the Environmental Review Officer of the San Francisco Planning Department issued a certificate of determination of exemption/exclusion from environmental review (the "determination") for the demolition of an existing building and construction of a new three-story-over-basement single-family residence with two off-street parking spaces on the ground floor, located at 2626 Filbert Street (the "Project"). A copy of said document is on file with the Clerk of the Board of Supervisors in File No. 081530, and is incorporated by reference herein; and,

WHEREAS, By letter to the Clerk of the Board of Supervisors dated November 21, 2008, Brooke Sampson and Lori Brooke, on behalf of the Cow Hollow Association, filed an appeal of the determination to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around November 21, 2008; and,

WHEREAS, On December 16, 2008, this Board held a duly noticed public hearing to consider the appeal of the determination. Following the conclusion of the public hearing, the Board rendered a decision on the use of the exemption/exclusion for the project based on the written record before the Board in File No. 081530 which is hereby declared to be a part of this motion as if set forth fully herein, as well as all of the testimony at the public hearing in support of and opposed to the appeal; and,

WHEREAS, In regard to said decision, this Board made certain findings specifying the basis for its decision; now, therefore, be it

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Moved, That this Board of Supervisors directs the Clerk of the Board to prepare the findings specifying the basis for its decision on the use of the exemption/exclusion for the 2626 Filbert Street project.

City and County of San Francisco
Tails
Motion

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File Number: 081533 **Date Passed:** December 16, 2008

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2626 Filbert Street is exempt from environmental review under the California Environmental Quality Act.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

File No. 081533

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081532 MOTION NO. M08-188

[Disapproving the categorical exemption issued for the 2626 Filbert Street project.]

Motion disapproving the determination by the Planning Department that the 2626 Filbert Street project is categorically exempt from environmental review under the California Environmental Quality Act.

WHEREAS, On August 26, 2008, the Environmental Review Officer of the San Francisco Planning Department issued a certificate of determination of exemption/exclusion from environmental review (the "determination") for the demolition of an existing building and construction of a new three-story-over-basement single-family residence with two off-street parking spaces on the ground floor, located at 2626 Filbert Street (the "Project"). A copy of said document is on file with the Clerk of the Board of Supervisors in File No. 081530, and is incorporated by reference herein; and,

WHEREAS, By letter to the Clerk of the Board of Supervisors dated November 21, 2008, Brooke Sampson and Lori Brooke, on behalf of the Cow Hollow Association, filed an appeal of the determination to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around November 21, 2008; and,

WHEREAS, On December 16, 2008, this Board held a duly noticed public hearing to consider the appeal of the determination; and,

WHEREAS, This Board has reviewed and considered the determination, the appeal letter, the responses to concerns document that the Planning Department prepared, and public testimony; and,

WHEREAS, The determination files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for

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public review by appointment at the Planning Department offices at 1660 Mission Street, and are part of the record before this Board by reference herein; now, therefore, be it

Moved, That this Board of Supervisors disapproves the determination by the Planning Department that the Project is exempt/excluded from environmental review.

City and County of San Francisco
Tails
Motion

City Hall
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File Number: 081532 **Date Passed:** December 16, 2008

Motion disapproving the determination by the Planning Department that the 2626 Filbert Street project is categorically exempt from environmental review under the California Environmental Quality Act.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

File No. 081532

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081435 MOTION NO. M08-189

[Preparation of findings related to the 2655 Scott Street project.]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2655 Scott Street is exempt from environmental review under the California Environmental Quality Act.

WHEREAS, for a proposal to add a vertical addition (partial 4th floor) and fire escapes to a single-family residence at 2655 Scott Street (the "Project"), the Planning Department included a determination of exemption from the California Environmental Quality Act in a staff report for a July 24, 2008, discretionary review hearing and stamped the site permit as categorically exempt from environmental review on September 16, 2008 (the "determination"). A copy of said documents are on file with the Clerk of the Board of Supervisors in File No. 081432, and are incorporated by reference herein; and,

WHEREAS, By letter to the Clerk of the Board of Supervisors dated November 10, 2008, Stephen M. Williams, on behalf of Thomas and Annabel Yasuda, filed an appeal of the determination to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around November 10, 2008; and,

WHEREAS, On December 16, 2008, this Board held a duly noticed public hearing to consider the appeal of the determination. Following the conclusion of the public hearing, the Board rendered a decision on the use of the exemption for the project based on the written record before the Board in File No. 081432 which is hereby declared to be a part of this motion as if set forth fully herein, as well as all of the testimony at the public hearing in support of and opposed to the appeal; and,

WHEREAS, In regard to said decision, this Board made certain findings specifying the basis for its decision; now, therefore, be it

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Moved, That this Board of Supervisors directs the Clerk of the Board to prepare the findings specifying the basis for its decision on the use of the exemption for the 2655 Scott Street project.

City and County of San Francisco
Tails
Motion

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San Francisco, CA 94102-4689

File Number: 081435 **Date Passed:** December 16, 2008

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the project at 2655 Scott Street is exempt from environmental review under the California Environmental Quality Act.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081435

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081434 MOTION NO. M08-190

[Disapproving the categorical exemption issued for the 2655 Scott Street project.]

Motion disapproving the determination by the Planning Department that the 2655 Scott Street project is categorically exempt from environmental review under the California Environmental Quality Act.

WHEREAS, for a proposal to add a vertical addition (partial 4th floor) and fire escapes to a single-family residence at 2655 Scott Street (the "Project"), the Planning Department included a determination of exemption from the California Environmental Quality Act in a staff report for a July 24, 2008, discretionary review hearing and stamped the site permit as categorically exempt from environmental review on September 16, 2008 (the "determination"). A copy of said documents are on file with the Clerk of the Board of Supervisors in File No. 081432, and are incorporated by reference herein; and,

WHEREAS, By letter to the Clerk of the Board of Supervisors dated November 10, 2008, Stephen M. Williams, on behalf of Thomas and Annabel Yasuda, filed an appeal of the determination to the Board of Supervisors, which the Clerk of the Board of Supervisors received on or around November 10, 2008; and,

WHEREAS, On December 16, 2008, this Board held a duly noticed public hearing to consider the appeal of the determination; and,

WHEREAS, This Board has reviewed and considered the determination, the appeal letter, the responses to concerns document that the Planning Department prepared, and public testimony; and,

WHEREAS, The determination files and all correspondence and other documents have been made available for review by this Board and the public. These files are available for

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public review by appointment at the Planning Department offices at 1660 Mission Street, and are part of the record before this Board by reference herein; now, therefore, be it

Moved, That this Board of Supervisors disapproves the determination by the Planning Department that the Project is exempt/excluded from environmental review.

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City and County of San Francisco

Tails

Motion

File Number: 081434 **Date Passed:** December 16, 2008

Motion disapproving the determination by the Planning Department that the 2655 Scott Street project is categorically exempt from environmental review under the California Environmental Quality Act.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081434

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081475 MOTION NO. M08-191

[Appointment – Assessment Appeals Board No. 1]

Motion appointing Diane Robinson and Richard Lee, terms ending September 5, 2011, to the Assessment Appeals Board No. 1.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as a members of Assessment Appeals Board No. 1, pursuant to the provisions of the Revenue and Taxation Code, Section 1623, and the San Francisco Administrative Code, Sections 2B.1 through 2B.11, for the terms specified:

Diane Robinson, succeeding herself, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following, Certified Public Accountant or Public Accountant; licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization; or Property Appraiser certified by the Office of Real Estate Appraisers; or is a current member of an assessment appeals board. Pursuant to Section 1623, the three-year term will end on the first Monday in September, for a three-year term ending September 5, 2011;

Richard Lee, succeeding Stephen Wasserman, seat 7, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following, Certified Public Accountant or Public Accountant; licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization; or Property Appraiser certified by the Office of Real Estate Appraisers; or is a current member of an assessment appeals board. ALTERNATE/HEARING OFFICER.

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*Pursuant to Section 1623, the three-year term will end on the first Monday in September, for a three-year term ending September 5, 2011.

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City and County of San Francisco

Tails

Motion

File Number: 081475 **Date Passed:** December 16, 2008

Motion appointing Diane Robinson and Richard Lee, terms ending September 5, 2011, to the Assessment Appeals Board No. 1.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081475

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081474 MOTION NO. M08-192

[Appointment – Assessment Appeals Board No. 2]

Motion appointing Joseph Tham, term ending September 5, 2011, to the Assessment Appeals Board No. 2.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of Assessment Appeals Board No. 2, pursuant to the provisions of the Revenue and Taxation Code, Section 1623, and the San Francisco Administrative Code, Sections 2B.12 through 2B.19, for the term specified:

Joseph Tham, succeeding himself, seat 8, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following, Certified Public Accountant or Public Accountant; licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization; or Property Appraiser certified by the Office of Real Estate Appraisers; or is a current member of an assessment appeals board. ALTERNATE/HEARING OFFICER. *Pursuant to Section 1623, the three-year term will end on the first Monday in September, for a three-year term ending September 5, 2011.

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Motion

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File Number: 081474 **Date Passed:** December 16, 2008

Motion appointing Joseph Tham, term ending September 5, 2011, to the Assessment Appeals Board No. 2.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081474

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081426

Amendment of the Whole
In Board
12/16/08

MOTION NO. M08-193

[Appointment – Market and Octavia Community Advisory Committee]

Motion appointing Julian Davis, Carmela Gold, Peter Cohen, Brad Villers, Dennis Richards and Jason Henderson for two-year terms, to the Market and Octavia Community Advisory Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of Market and Octavia Community Advisory Committee, pursuant to the provisions of Ordinance No. 72-08 and Resolution 474-08, for the terms specified:

Julian Davis, new assignment, seat 1, must be a resident renter and live or work within the Plan area, for a two-year term, to be determined;

Carmela Gold, new assignment, seat 2, must be a resident homeowner and live or work within the Plan area, for a two-year term, to be determined;

Peter Cohen, new assignment, seat 3, must be a low-income resident and live or work within the Plan area, for a two-year term, to be determined;

Brad Villers, new assignment, seat 4, must be a local merchant and live or work within the Plan area, for a two-year term, to be determined;

Dennis Richards, new assignment, seat 5, must be a representative of established neighborhood groups and live or work within the Plan area, for a two-year term, to be determined;

Jason Henderson, new assignment, seat 6, must be a member at large and live or work within the Plan area, for a two-year term, to be determined.

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Motion

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File Number: 081426 **Date Passed:** December 16, 2008

Motion appointing Julian Davis, Carmela Gold, Peter Cohen, Brad Villers, Dennis Richards and Jason Henderson, for two-year terms, to the Market and Octavia Community Advisory Committee.

December 16, 2008 Board of Supervisors — AMENDED

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

December 16, 2008 Board of Supervisors — APPROVED AS AMENDED

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Dufty

File No. 081426

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

FILE NO. 081483 MOTION NO. M08-194

[Appointment – Immigrant Rights Commission]

Motion appointing Ana Perez, term ending June 6, 2009, to the Immigrant Rights Commission, residency requirement waived.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as member of the Immigrant Rights Commission, pursuant to the provisions of Ordinance No. 211-97, for the term specified:

Ana Perez (residency requirement waived), succeeding Falguni Sheth, seat 10, resigned, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, member shall have demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for an unexpired portion of a two-year term ending June 6, 2009; and, be it

FURTHER MOVED, That the Board of Supervisors makes the following findings:

1. The membership of the Immigrant Rights Commission has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant Ana Perez, a new appointee, who is not a resident of San Francisco, is a person with experience that uniquely qualifies her to serve on the Immigrant Rights Commission.
3. The Immigrant Rights Commission has attempted to fill the position, for which Ana Perez was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has been unable to do so at this time. The Rules Committee has certified that Ana Perez is qualified to serve on the Immigrant Rights Commission.

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4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the Immigrant Rights Commission at this time; and, be it

FURTHER MOVED, That the Board of Supervisors waives the residency requirement for Ana Perez, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

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City and County of San Francisco

Tails

Motion

File Number: 081483 **Date Passed:** December 16, 2008

Motion appointing Ana Perez, term ending June 6, 2009, to the Immigrant Rights Commission, residency requirement waived.

December 16, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081483

I hereby certify that the foregoing Motion was APPROVED on December 16, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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